

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59907 of 2021

Arising Out of PS. Case No.-26 Year-2021 Thana- SHIVSAGAR District- Rohtas

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1. ARCHANA KUMARI @ ARADHANA KUMARI Daughter of Shri Bhagwan Singh Resident of Village- Berukahi, P.S.- Sheosagar, District- Rohtas at Sasaram.
 2. Nisha Kumari D/o- Shri Bhagwan Singh Resident of Village- Berukahi, P.S.- Sheosagar, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh
For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 07-06-2022 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Sheosagar P.S. Case No. 26 of 2021 registered for the offence punishable under Section 341, 323, 325, 307, 379, 504, 506 and 34 of the Indian Penal Code.

The allegation is regarding the accused persons having arrived at the alleged place of occurrence on the alleged date and time of occurrence, whereafter the co-accused person, namely, Pappu Yadav, had fired on the son of the



informant and then, the other co-accused persons had assaulted the son of the informant by Tangi and sword. The co-accused person, namely, Bhagwan Singh, father of the petitioner herein, is alleged to have brutally assaulted the informant causing grievous injuries on the informant including fracture of shaft of humerus. It is also alleged that the petitioners herein had also assaulted the informant resulting in her sustaining more injuries.

The learned counsel for the petitioners submits that the petitioners are innocent, they have been falsely implicated in the present case. The learned counsel for the petitioners has further submitted that the petitioners are young students and have got no role to play in the alleged incident. It is further submitted, by referring to the injury report of the informant, annexed at page no. 24 of the present petition, that the grievous injuries sustained by the informant is attributable to the father of the petitioner, however, as far as the petitioners are concerned, a general and



omnibus allegation has been levelled, hence, benefit of doubt can be granted to them for the purposes of grant of anticipatory bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners, taking into account the materials available on record as also considering the fact that the grievous injuries sustained by the informant appears to be attributable to the father of the petitioners, namely, Bhagwan Singh and as far as the petitioners are concerned, a general and omnibus allegation has been levelled, apart from the fact that the petitioners are young girls pursuing their studies and are having a clean antecedent, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below



within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Judge-6 cum ACJM, Sasaram, Rohtas in connection with Sheosagar P.S.Case No. 26 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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