

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66429 of 2021

Arising Out of PS. Case No.-114 Year-2021 Thana- DINARA District- Rohtas

1. SUNIL KUMAR RAI Son of Sri Niwas Rai Resident of Village - Pachodehri, P.S. - Dinara (Bhanas), Dist. - Rohtas.
2. UDAY RAI Son of Sri Niwas Rai Resident of Village - Pachodehri, P.S. - Dinara (Bhanas), Dist. - Rohtas.
3. RAMBHA DEVI W/o Sunil Kumar Rai, Resident of Village - Pachodehri, P.S. - Dinara (Bhanas), Dist. - Rohtas.
4. PUNAM DEVI W/o Uday Rai, Resident of Village - Pachodehri, P.S. - Dinara (Bhanas), Dist. - Rohtas.
5. WAKIL SINGH Son of Late Ram Prasad Singh Resident of Village - Rauli, P.S. - Ramgardh, District - Kaimur (Bhabhua).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwari
For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 25-07-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Dinara (Bhanas) P.S. Case No. 114/2021 registered for offence punishable under sections 341, 323, 307, 504/34 of the Indian Penal Code.



As per allegation, the petitioners, who are sons, daughters-in-law and grandson of the informant, badly assaulted the informant and made him injured. The doctor found lacerated wound on head (frontal impart) and on occipital area. The injuries were found simple in nature.

The learned counsel for the petitioners has submitted that the injuries are simple in nature and the reason behind the occurrence is that the informant was not providing the share of the petitioners from his pension. He has submitted further that the petitioners are the persons of clean antecedent and petitioner nos. 3 and 4 are ladies.

The informant is a retired person. He has every right to decide to whom he shall provide the share from his pension and to whom not. The petitioners being sons, grandson and daughters-in-laws badly assaulted a retired and old person without any cause.

Considering the above-mentioned facts and circumstances, **petitioner nos. 1, 2 and 5 do not deserve the privileges for anticipatory bail and accordingly their prayer for anticipatory bail is rejected.**

So far as petitioner nos. 3 and 4 are concerned, they are ladies, their prayer for anticipatory bail is allowed.



Let **petitioner nos. 3 and 4**, in the event of their arrest or surrender, within four weeks from today, **be released** on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bikramganj, Rohtas in connection with Dinara (Bhanas) P.S. Case No. 114/2021, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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