

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66932 of 2021

Arising Out of PS. Case No.-216 Year-2021 Thana- MAIRWAN District- Siwan

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1. RAMAWATI DEVI Wife of Jai Kishun Gond
 2. Chanda Devi Wife of Sanjeet
 3. Pradeep Gond @ Pradeep Kumar Gond Son of Jai Kishun Gond
 4. Punita Devi Daughter of Jai Kishun Gond
- All are Residents of Village - Barka Manjha, P.S. - Mairwa, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner nos. 1, 2 and 4 are females.

The informant alleges that while she along with her sons were collecting stone chips at her door, on 27.07.2021, at about 06:00 p.m., then all the accused persons including the petitioners came variously armed and started hurling abuses. It



is alleged that Ramawati Devi gave order to kill on which Chanda Devi assaulted the informant with iron rod on her head causing injury and repeated the assault causing injury on her hand. It is alleged that when the son of the informant came to rescue Jai Kishun Gond assaulted him with iron rod on his right hand due to which his hand became fractured and again assaulted on his head, shoulder and left head due to which he became injured. It is alleged that Pradeep Gond assaulted Ankit Gond with an iron pipe causing injury on the right side of the hand and the assault was repeated. It is alleged that Ramawati Devi assaulted with lathi causing injury on the left hand of Anikt Gond and thereafter all the accused persons assaulted the daughter of the informant when he came to save her and even snatched gold chain worth Rs.30,000/-.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case and from perusal of the allegation as alleged in the FIR, it would manifest that no motive or reason has been assigned for the occurrence. It is submitted that there is case and counter case and the injuries suffered by the injured are simple in nature. It is next submitted that the injuries suffered by the son of the informant was grievous but then the assault was made by Jai



Kishun Gond.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mairwa P.S. Case No. 216 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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