

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1175 of 2022

Arising Out of PS. Case No.-122 Year-2021 Thana- SULTANGANJ District- Bhagalpur

1. RADHA DEVI W/o Sri Ashok Saw Resident of Munshi Patti kalisthan Road, P.S.- Sultanganj, District- Bhagalpur.
2. INDU DEVI W/o Sri Vijay Saw Resident of Munshi Patti kalisthan Road, P.S.- Sultanganj, District- Bhagalpur.
3. ASHOK SAW @ ASHOK SAH S/o Sri Jhako Saw @ Jhako Sah Resident of Munshi Patti kalisthan Road, P.S.- Sultanganj, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 03-08-2022 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.

At the outset, the learned counsel for the petitioners has
submitted that petitioner no. 3 has been arrested and as such, it has
become infructuous with respect to him. He, therefore, seeks
permission to withdraw this bail petition with respect to petitioner
no. 3.

In view of the above submission, **this petition is
dismissed as withdrawn with respect to petitioner no. 3.**



So far as petitioner nos. 1 to 2 are concerned, they apprehend their arrest in connection with Sultanganj P.S. Case No.122 of 2021 registered for offence punishable under sections 448, 341, 323, 324, 325, 307, 504, 506/34 of the Indian Penal Code.

As per allegation, the accused persons, including the present petitioners assaulted the family members of the informant. As per allegation, co-accused Roshan Saw assaulted Vidyanand, brother of the informant, on his head and co-accused Vijay Saw assaulted the informant with spade on his left shoulder. The allegation against petitioner no. 2 Indu Devi is that she assaulted the informant with *lathi*.

The learned counsel for the petitioners has submitted that both the parties are next door neighbours and a title suit is pending between them. He has submitted further that there is no specific allegation of assault against petitioner nos. 1 and 3. Though there is allegation against petitioner no. 2 that she assaulted the informant, but the informant has sustained simple injuries.

Considering the above-mentioned facts and circumstances, let **petitioner nos. 1 and 2**, 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-I, Bhagalpur in connection with Sultanganj P.S. Case No.122 of 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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