

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5645 of 2023

Arising Out of PS. Case No.-414 Year-2021 Thana- DHAKA District- East Champaran

1. Soni Kumari D/O Santosh Sah R/V- Barharwa Siwan, P.S- Dhaka, Dist- East Champaran
2. Vicky Kumari D/O Santosh Sah R/V- Barharwa Siwan, P.S- Dhaka, Dist- East Champaran
3. Kiran Devi Wife Of Santosh Sah R/V- Barharwa Siwan, P.S- Dhaka, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-05-2023 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 448, 341, 323, 307, 354(B), 380, 504, 506 and 34 of the Indian Penal Code.

As per the prosecution case, all named FIR accused persons including the petitioners entered into the house of informant, assaulted the informant and her Dewarani and committed theft of Mangalsutra and Ring.

Learned counsel for the petitioners submits that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that both parties are *pattidar* and a land dispute is



going on and a Title Suit No. 10 of 2011 is pending between both the parties. He submits that the doctor has not found any external injury on their body. Similarly situated co-accused has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 11.08.2022 passed in Cr. Misc. No. 11534 of 2022. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Having regard to the facts and circumstances of the case and similarly situated co-accused has been granted anticipatory bail, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Daka P.S. Case No.414 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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