

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3483 of 2023

Arising Out of PS. Case No.-4 Year-2021 Thana- SUIYA District- Banka

1. MEENA DEVI @ MINIYA DEVI Wife of Baleshwar Turi R/v- Dumardiha, P.S.- Suiya, District- Banka
2. SABITRI DEVI @ SAVITRI DEVI Wife of Sudhir Turi R/v- Dumardiha, P.S.- Suiya, District- Banka
3. SUBHASH TURI Son of Baleshwar Turi R/v- Dumardiha, P.S.- Suiya, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Shweta Singh, Advocate
For the Opposite Party/s : Mrs. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 22-05-2023 Heard Mrs. Shweta Singh, learned counsel for the
petitioners and Mrs. Sucheta Yadav, learned APP for the State.

The petitioners apprehend their arrest in connection with Suiya P.S. Case No. 04 of 2021 for the offence registered under sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code lodged on 19.01.2021 by the informant, Chameli Devi.

The prosecution case, in brief, is that on 18.01.2021, while the informant Chameli Devi was in her house, the petitioner no. 1 came and started abusing her due to land dispute. On protest, the informant was assaulted by these



petitioners with bricks and stones due to which she sustained bleeding injuries on her head. It is further alleged that when the informant's daughter Usha Kumari tried to rescue, she too was assaulted by the accused-petitioners causing bleeding injury on her head. Accordingly, the FIR.

It has been submitted by the learned Counsel for the petitioners that in a zeal to implicate, allegations have been made against all the family members. Further, although allegation of assault on the head is there, the same has been found to be simple in nature as would reflect from the Injury Report of Chameli Devi (Annexure -2 series).

Further it has been submitted that without accepting the allegation and/or the outcome of the present petition in, view of the fact that the informant side has alleged injuries, the petitioner (s) on its own would like to contribute towards the medical assistance of Rs. 10,000/- to the injured.

Mrs. Sucheta Yadav, learned APP opposes the prayer stating that allegation is of using bricks which caused injury to the informant.

Considering the fact that the injuries have been found to be simple in nature and two of the petitioners are ladies whereas petitioner no. 3 is a young boy of 21 years, they do not



have criminal antecedent, this Court is inclined to extend them privilege of anticipatory bail subject to payment of Rs. 10,000/- as stated above.

Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Banka in connection with Suiya P.S. Case No. 04 of 2021 subject to condition as laid down under Section 438(2) of the Cr.P.C.

Before parting, this Court would like to put on record its word of appreciation for Mrs. Shweta Singh, learned counsel for the petitioners for proper assistance in the matter.

(Rajiv Roy, J)

Jagdish/Neha/-

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