

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19282 of 2023

Arising Out of PS. Case No.-583 Year-2022 Thana- BIDUPUR District- Vaishali

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1. HIROMANI DEVI W/O SHYAM BABU BHAGAT Resident of village- Mustafarpur, P.S.- Bidupur, District- Vaishali.
 2. SUMITRA DEVI W/O SHYAM BABU BHAGAT Resident of village- Mustafarpur, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sabal Kumar Jha
For the Opposite Party/s :	Mr. Sanjay Kumar
	Mr. Ranjit Kumar Thakur

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 3 14-07-2023 Heard learned counsel for the petitioners, learned counsel for the informant as well as learned APP for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 447, 448, 323, 324, 307, 384, 504 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners assaulted the informant's side by means of several weapons due to which they sustained injuries.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The



allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is a case and counter-case between the parties and both sides have sustained injuries. Petitioners have one criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail and submits that there is specific allegation against the petitioner no.1 namely, Hiromani Devi to assault the informant by means of sword due to which he sustained grievous injuries.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner no.1 on bail. The prayer for grant of anticipatory bail on her behalf is hereby rejected.

However, as there is no specific overt act against the petitioner no.2, let the above named petitioner no.2, be released on bail, in the event of his 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) 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 Bidupur P.S. Case



No.583 of 2022, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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