

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13035 of 2023

Arising Out of PS. Case No.-482 Year-2021 Thana- GOGRI District- Khagaria

1. Rubi Devi Wife of Neeraj Sah Resident of village - Rampur, Ward No.- 4, P.S.- Gogri, District - Khagaria.
2. Neeraj Sah Son of Umesh Sah Resident of village - Aho Rajaura, P.S.- Sahebpur Kamal, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 06-07-2023 Heard learned counsels for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged that on 29.10.2021, co-accused Kailash Sah was obstructing passage and when daughter-in-law of the informant protested, all the F.I.R. named accused persons including these petitioners assaulted her by means of lathi as a result of which she sustained head injury. It is further alleged that all the co-accused persons snatched gold earring and silver



chain from her and petitioner No. 2 made firing in the air in order to create panic.

Learned counsel appearing for the petitioners submits that specific accusation of assault is against co-accused Kailash Sah. He submits that though petitioner No. 2 is alleged to have fired but no one sustained any fire arms injury and allegation of snatching the earring and chain is ornamental in nature. Petitioners have got clean antecedent.

Considering the aforesaid facts and circumstances, this anticipatory bail is allowed and it is ordered that the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria in connection with Gogri P. S. Case No. 482 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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