

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25019 of 2023

Arising Out of PS. Case No.-1011 Year-2022 Thana- ALAMGANJ District- Patna

1. KANCHAN DEVI W/O SHAMBHU PRASAD Resident of Village-Gaighat in front of Gurudwara, P.O.- Gulzarbagh, P.S.- Alamganj District-Patna.
2. RASHMI KUMARI D/O SHAMBHU PRASAD Resident of Village-Gaighat in front of Gurudwara, P.O.- Gulzarbagh, P.S.- Alamganj District-Patna.
3. ALPANA KUMARI W/O KRISHNA KUMAR Residence of Biscoman Golamber, P.S.- Alamganj, District- Patna, at Present Resident of Village-Gaighat Utri Gali, P.O.- Gulzarbagh, P.S.- Alamganj District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Lal, Advocate
For the Opposite Party/s : Ms. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-07-2023 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 379, 354(B), 427, 504, 506 and 34 of the Indian Penal Code.

3. The informant alleges that on account of an altercation the named accused persons including the petitioners along with 5-6 unknown came and started abusing the informant and further started demonishing her hut and on protest it is alleged Kishore and Shambu assaulted the informant with legs



and fists with an intention to abort her, thereafter Krishna and petitioner no. 3 assaulted the informant on her abdomen and when Rekha and Raja came to rescue, petitioner nos. 1 and 2 along with other accused assaulted him, thereafter Kishore and Shambhu tore her blouse and Krishna along with petitioner no. 3 snatched the earrings of Rekha Devi and thereafter Krishna threatened Raja with pistol to vacate the house or to pay extortion of Rs. 10,000/-.

4. The learned counsel for the petitioners submits that petitioner nos. 1 and 2 have antecedent of one case and petitioner no. 3 is a person with clean antecedent and are women. The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR it would manifest that the dispute is purely civil to which a criminal colour has been given, it is next submitted that though it is alleged that she was assaulted but then there is no injury, it is also submitted that on account of dispute relating to vacating the premises the present false case came to be instituted.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Alamganj P.S. Case No. 1011 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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