

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18840 of 2023

Arising Out of PS. Case No.-262 Year-2022 Thana- JAMHOR District- Aurangabad

1. Kavita Devi Wife of Nand Kishor Singh R/O Village- Barauli, P.S.- Jamhor, District- Aurangabad (BIHAR)
2. Suresh Singh Son of Late Santon Singh R/O Village- Barauli, P.S.- Jamhor, District- Aurangabad (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-06-2023 Heard Mr. Shailesh Kumar Singh, learned Counsel appearing on behalf of the petitioner and Mr. Surendra Prasad Singh, learned A.P.P. appearing on behalf of the State.

2. The petitioners seek pre-arrest bail in connection with Jamhor P.S. Case No. 262 of 2022 for the offences punishable under Sections 341, 323, 324, 308, 504 and 34 of the Indian Penal Code.

3. The prosecution story, in brief, is that on 21.10.2022 at about 06:30 P.M. while the informant Amarjit Kumar was working in his field, the named accused persons including the petitioners herein reached there and brutally assaulted him with lathi, danda, sword, bricks and stones, as a



result of which he sustained serious injury on his right eye.

4. Learned counsel appearing on behalf of the petitioners submits that petitioner no.1 is a lady and she has not assaulted any one. So far as petitioner no.2 is concerned, he is aged about 78 years and no assault has also been committed by him. The petitioners have been made accused in the present case due to admitted land dispute between the parties. There is a case and counter case between the parties. On these grounds the petitioners above named be released on bail.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the nature of allegation made against the petitioners as no specific allegation of assault has been made against them, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on anticipatory bail.

7. The petitioners, above named, are directed to be released on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand only) each with two sureties of the like amount each, to the satisfaction of learned C.J.M, Aurangabad in connection



with Jamhor Police Station Case No. 262 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioners as stated in paragraph no.3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no.3, this order will loose its force automatically.

9. The present bail application, accordingly, stands disposed of.

(Purnendu Singh, J)

Praveen/
nilmani/-

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