

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21428 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- DIGHALBANK District- Kishanganj

1. Sheela Devi Wife Of Krishna Prasad Ganesh, Resident Of Village- Nayan Bhatta, P.S.- Dighal Bank In The District Of Kishanganj
2. Rinki Kumari D/O Krishna Prasad Ganesh, Resident Of Village- Nayan Bhatta, P.S.- Dighal Bank In the District Of Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-06-2023 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek regular bail in connection with
Dighal Bank P.S. Case No. 21 of 2023 dated 29.01.2023 lodged
under Sections 341, 323, 325, 307, 302 and 504/34 of the I.P.C.

As per prosecution, the present F.I.R. has been lodged
against seven named accused persons including the present
petitioner. From the F.I.R., the specific allegation against the
present petitioner is to assault upon the head of informant's
brother, namely, Manoj Kumar Ganesh.

Learned counsel for the petitioners submit that in this case section 302 of I.P.C. is there, in which the deceased is Badru Lal Ganesh, whereas the allegation against the present petitioners are not to assault Badru Lal Ganesh (the deceased) rather assault only to Manoj Kumar Ganesh. Counsel further submits that petitioners are female, their antecedents are clean and they are in custody since 30.01.2023. Counsel further submits that the doctor has opined and in his opinion he has not ascertained that the injury is grievous in nature. Initially he has given report that it is simple but subsequently conclusiveness of grievous injury has not been made.

Learned counsel for the State opposes the prayer for bail.

Counsel for the informant vehemently opposes the prayer for bail and submits that there are specific allegation against the petitioners to assault the brother of the informant on his head due to which he injured. He submits that case diary may be called for.

In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each

to the satisfaction of learned Additional Chief Judicial Magistrate-I, Kishanganj in connection with Dighal Bank P.S. Case No. 21 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C..

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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