

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21431 of 2023

Arising Out of PS. Case No.-180 Year-2022 Thana- MADHUBAN District- East Champaran

1. LAKHIA DEVI @ LAKHIYA DEVI Wife of Ramvriksh Ray @ Ram Briksh Ray Resident of Village - Madhuban Tola, Mohanwa, Police Station - Madhuban, District - East Champaran.
2. Indu Devi Wife of Awdhesh Ray Resident of Village - Madhuban Tola, Mohanwa, Police Station - Madhuban, District - East Champaran.
3. Vinita Kumari @ Binita Kumari Daughter of Avdesh Ray Resident of Village - Madhuban Tola, Mohanwa, Police Station - Madhuban, District - East Champaran.
4. Ram Briksh Rai @ Ram Vriksh Ray Son of Parichan Ray Resident of Village - Madhuban Tola, Mohanwa, Police Station - Madhuban, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-06-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 307, 379, 354B, 385, 447, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner Nos. 1 to 3 are women.



Learned counsel for the petitioners next submits that from bare perusal of the allegation as alleged in the F.I.R, it would manifest that no specific allegation of assault is alleged against the petitioner Nos. 1 to 3 though the informant alleges that petitioner no. 4 along with one another assaulted him, his wife and son with *lathi* and *danda* apart from other allegations.

Learned counsel for the petitioners next submits that the injuries suffered by the wife and son of the informant are simple in nature and four injuries were suffered by the informant out of which two are simple in nature and two are grievous, though the grievous injury is not on vital part of the body.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that no doubt the injury is not on vital part of the body, but then it is not in dispute that the informant suffered two grievous injuries which amply demonstrates that the petitioner no. 4 assaulted the wife and son of the informant exceeding the force which was required.

Considering the submissions made by the learned counsel for the petitioners, the petitioner Nos. 1, 2 and 3 are granted the privilege of anticipatory bail, however, the Court is not inclined to extend the privilege of anticipatory bail to the



petitioner no. 4.

Accordingly, the present anticipatory bail application is rejected with respect to petitioner no. 4 (Ram Briksh Rai @ Ram Vriksh Ray) only.

However, petitioner Nos. 1, 2 and 3 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 Madhuban P.S. Case No. 180 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

