

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19855 of 2023

Arising Out of PS. Case No.-626 Year-2022 Thana- BIDUPUR District- Vaishali

1. Laxmi Devi Wife Of Sunil Kumar R/V- Daud Nagar, P.S- Bidupur Dist- Vaishali
2. Sunil Kumar Son Of Shivajee Rai R/V- Daud Nagar, P.S- Bidupur Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar, Advocate.
For the Opposite Party/s : Mr. Murli Dhar, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-06-2023 Heard Mr. Manish Kumar, learned counsel for the petitioners and learned APP for the State.

The Petitioners are apprehending their arrest in connection with Bidupur P.S. Case No.626 of 2022, registered for the offences punishable under Sections 341, 323, 379, 354, 313, 504, 506/34 of the Indian Penal Code.

It is alleged that on 15.09.2022, when the informant went to bring Poshahar at Aanganbari center no.224 and demanded Poshahar, in the meantime, on account of some altercation both the accused persons started assaulting the informant with fist and slap. The petitioner No.1 assaulted the



informant over her abdomen due to which miscarriage has taken place and further the petitioner nos.1 and 2 snatched the earrings and golden chain of the informant.

Learned counsel appearing on behalf of the petitioners submits that admittedly the occurrence took place on 15.09.2022, however, the present FIR has been instituted on 26.11.2022 after a delay of more than two months without any plausible explanation. He further submits that there is no medical report suggesting that any injury or miscarriage has been done, hence the allegation of assault has not at all been corroborated by other evidence. The parties have also, out of their own sweet will, compromised the matter.

On the other hand learned APP for the State vehemently opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the FIR and absence of any injury report coupled with fair antecedent, let the above named petitioners, be released on 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 the learned Chief



Judicial Magistrate, Hajipur (Vaishali), in connection with Bidupur P.S. Case No.626 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Harish Kumar, J)

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