

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24279 of 2023

Arising Out of PS. Case No.-482 Year-2022 Thana- SAMASTIPUR MUFFASIL District-Samastipur

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1. MUNITA DEVI @ RICHA DEVI Wife of Lalo Paswan Resident of village-Salempur Dashraha, Police Station-Muffasil, District-Samastipur
 2. VIKRAM KUMAR Son of Lalo Paswan Resident of village-Salempur Dashraha, Police Station-Muffasil, District-Samastipur
 3. KRANTI KUMAR Son of Lalo Paswan Resident of village-Salempur Dashraha, Police Station-Muffasil, District-Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-07-2023 Heard Mr. Bijay Bhushan Prasad, learned counsel
for the petitioners and Mr. Awadhesh Kumar Singh, learned
Additional Public Prosecutor for the State.

2. Petitioners apprehend their arrest in connection
with Mufassil PS Case No. 482/2022 dated 25.10.2022
registered for the offence punishable under Sections 341, 323,
324, 307, 337, 338, 504/34 of the IPC.

3. As per prosecution story, while the informant along
with his son, Pappu Kumar was on his way to his home, they
were intercepted by the petitioners who abused the informant
and upon objection being raised, the petitioner no.3, Kranti
Kumar assaulted the informant with *pagharia* (a sharp cutting



weapon) and when the son (Pappu Kumar) of the informant along with his brother, Pankaj Kumar intervened in order to save his father, petitioner no.2, Vikram Kumar assaulted Pankaj Kumar by means of *Pagharia*. Petitioner no. 1, Munita Devi assaulted Pappu Kumar by means of iron rod causing injury on his head.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to scuffle which had taken place between the parties on the date of occurrence where minor son of the informant namely, Pankaj Kumar was driving motorcycle and dashed the son of petitioner no.3 causing him injury for which an FIR bearing Mufassil PS Case No. 481/2022 has been lodged by the side of petitioners. Learned counsel next submits that there is a case and counter case between the parties and petitioner no.3, Kranti Kumar has also sustained injury which is simple in nature. The victims, Pappu Kumar, Pankaj Kumar and informant Rameshwar Paswan have sustained simple injury and there is no injury report of Pankaj Kumar on record. Petitioners have got no criminal antecedents.

5. Regards being had to the submissions made by the parties, taking into consideration the fact that there is a case and



counter case between the parties, both the sides have sustained simple injuries, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, let the petitioners, named above, in the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Samastipur in connection with Mufassil PS Case No. 482/2022, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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