

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32740 of 2023

Arising Out of PS. Case No.-568 Year-2022 Thana- KATEYA District- Gopalganj

1. Nathu Ram son of Keshwar Ram Village- Baherwa Ps- Kateya Dist- Gopalganj
2. Keshwar Ram son of Late Gharbharan Ram Village- Baherwa Ps- Kateya Dist- Gopalganj
3. Sanjeev Kumar son of Nathu Ram Village- Baherwa Ps- Kateya Dist- Gopalganj
4. Rakhawati wife of Nathu Ram Village- Baherwa Ps- Kateya Dist- Gopalganj
5. Geeta Kumari D/o- Nathu Ram Village- Baherwa Ps- Kateya Dist- Gopalganj
6. Manisha Kumari D/o- nathu Ram Village- Baherwa Ps- Kateya Dist- Gopalganj

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Umesh Kumar Singh, Advocate
For the State	:	Mr. Uday Chand Prasad, APP
For the Informant	:	Mr. Dharmveer, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-07-2023 At the outset, learned counsel for the petitioners submits that petitioner nos. 2 to 6 have surrendered in the learned court below, hence, this application survives only on behalf of petitioner no. 1.

2. Heard learned counsel for petitioner no. 1, learned counsel for the informant and learned APP for the State.

3. Petitioner no. 1 in the present case is seeking pre-arrest bail in connection with Kateya P.S. Case No. 568 of 2022 registered for the offences punishable under Sections 341, 323,



324, 307, 379, 504, 506 and 34 of the Indian Penal Code. He has got no criminal antecedent.

4. As per the prosecution story, on 29.12.2022 all these petitioners variously armed surrounded the sister-in-law of the informant and assaulted her. Petitioner no. 1 (Nathu Ram) assaulted the sister-in-law of the informant on her head and hand with dab as a result she sustained injuries. Thereafter, when his brother and his wife came to rescue her, petitioner no. 2 (Keshwar Ram) and petitioner no. 4 (Rekhawati) assaulted them with tangi. It is alleged that petitioner no. 5 (Geeta Kumari) and petitioner no. 6 (Manisha Kumari) assaulted his wife and she sustained injuries. It is further alleged that Sanjeev Kumar (petitioner no. 3) snatched ornament from his sister-in-law.

5. Learned counsel for petitioner no. 1 submits that petitioner no. 1 is innocent and has falsely been implicated in this case. It is submitted that the other petitioners (petitioner nos. 2 to 6) have surrendered in the court below and they have been granted bail.

6. Learned APP for the State and learned counsel for the informant have opposed the prayer for anticipatory bail of petitioner no. 1.



7. Having regard to the facts and circumstances of the case wherein it appears from the reading of the FIR that petitioner no. 1 had assaulted his sister-in-law by a dab on her head and caused injuries on her head and hand both, this Court is not inclined to grant privilege of anticipatory bail to the petitioner no. 1, however, considering the submissions of learned counsel for petitioner no. 1 that the other petitioners (petitioner nos. 2 to 6) surrendered in the learned court below and they have been granted bail, this Court directs that in case petitioner no. 1 surrenders and prays for regular bail within a period of four weeks from today, his prayer for regular bail shall be considered keeping in view the principle of parity with the other co-accused who have been granted bail and appropriate order shall be passed at the earliest.

8. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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