

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34928 of 2023

Arising Out of PS. Case No.-266 Year-2022 Thana- BHELDI District- Saran

1. Priyanka Devi @ Priyanka Kumari W/O Mukesh Singh R/O Village-Yadopur, P.S.-Bheldi, Dist.-Saran
2. Bindu Devi W/O Subhash Prasad R/O Village-Rahimapur, P.S.-Madhaurah Dist.-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagandeo Yadav, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 24-07-2023 Heard Mr. Gagandeo Yadav, learned counsel

 appearing on behalf of the petitioners and the learned APP for

 the State.

2. The petitioners are apprehending their arrest in connection with Bheldi P.S. Case No. 266 of 2022 registered for the offence punishable under Sections 447, 341, 323, 307, 504 and 506/34 of the Indian Penal Code.

3. It is alleged that while the informant was in his house, in the meantime, all the accused persons armed with *lathi* and *danda* came there and started abusing and assaulting them. When his daughter ‘Anshu Kumari’ came to save him allegedly the petitioner no. 2 ‘Bindu Devi’ assaulted her by means of *lathi*, causing head injury. Further allegation has been



levelled that petitioner no. 1 assaulted the informant by means of iron rod, due to which she sustained serious injuries.

4. Learned counsel appearing on behalf of the petitioners submits that in fact on account of family feud, a free fight has taken place between the family members, which resulted into injuries to the persons of both the sides. He further submits that prior to the institution of this case, the father-in-law of the petitioner no. 1 has instituted Bheldi P.S. Case No. 265 of 2022 and the present case is nothing but a counter blast. He also drawn the attention of this Court to the injury report and submits that from the injury report, it is evident that on account of non production of City Scan Report, the nature of some of the injuries have kept reserved though the other injuries are found to be simple in nature. He lastly submits that the petitioner are ladies, having fair antecedent and they deserve sympathetic consideration.

5. On the other hand, learned APP for the State vehemently opposes the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the parties are agnates and there is a case and counter case. Further, the persons of both the sides have sustained injuries on account of free fight,



let the above named petitioners, be released on bail, in the event of their arrest of surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Saran at Chapra in connection with Bheldi P.S. Case No. 266 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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