

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42335 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- AAJAM NAGAR District- Katihar

1. RAM SHARAN KEWAT @ RAM CHANDRA KEWAT SON OF LATE SATYA NARAYAN KEWAT RESIDENT OF VILLAGE- MANIK NAGAR, ARIHANA, PS- AZAMNAGAR (SALMARI OP), DISTT- KATIHAR
2. SUDHIYA DEVI @ SUGIYA DEVI WIFE OF SHIV CHARAN KEWAT @ RAM SHARAN KEWAT RESIDENT OF VILLAGE- MANIK NAGAR, ARIHANA, PS- AZAMNAGAR (SALMARI OP), DISTT- KATIHAR
3. LAXMI DEVI @ LAXMI WIFE OF RAM SHARAN KEWAT RESIDENT OF VILLAGE- MANIK NAGAR, ARIHANA, PS- AZAMNAGAR (SALMARI OP), DISTT- KATIHAR
4. KALYANI DEVI WIFE OF LATE SATYA NARAYAN MANDAL RESIDENT OF VILLAGE- MANIK NAGAR, ARIHANA, PS- AZAMNAGAR (SALMARI OP), DISTT- KATIHAR
5. RAMIYA DEVI @ RANI DEVI WIFE OF AMIT KEWAT RESIDENT OF VILLAGE- MANIK NAGAR, ARIHANA, PS- AZAMNAGAR (SALMARI OP), DISTT- KATIHAR
6. YASHODA DEVI WIFE OF INDAR KEWAT RESIDENT OF VILLAGE- MANIK NAGAR, ARIHANA, PS- AZAMNAGAR (SALMARI OP), DISTT- KATIHAR
7. REETU KUMARI DAUGHTER OF RAM SHARAN KEWAT RESIDENT OF VILLAGE- MANIK NAGAR, ARIHANA, PS- AZAMNAGAR (SALMARI OP), DISTT- KATIHAR
8. BIKKI KUMAR @ VIKKI KUMAR SON OF BISHESHWAR MANDAL RESIDENT OF VILLAGE- JABRA PAKARPUR, PS- DANDKHORA, DISTT- KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh
For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 08-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State along with the learned counsel for the informant.
2. The petitioners apprehend their arrest in a case



registered for the offences punishable under Sections 341, 323, 324, 308, 379, 504, 34 of the Indian Penal Code.

3. The informant alleges that ten named accused persons including the petitioner came and assaulted her with an iron rod causing injury on her head. It is further alleged that Shiv Sharan and Amit assaulted her mother and father with an iron rod causing injury.

4. Learned counsel submits that the petitioners are persons with clean antecedent and petitioner No. 2 to 7 are women.

5. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that from the perusal of the allegations as alleged in the FIR, it would manifest that no specific allegation of assault is alleged against the women accused. It is further submitted that Bikki (petitioner No. 8) is alleged to have assaulted the informant by rod causing injury on head. Further, no specific allegation of assault is alleged against Ram Sharan Kewat.

6. Learned A.P.P. for the State along with learned counsel for the informant opposes the bail application.

7. Learned counsel for the informant submits that



Bikki is alleged to have assaulted the informant by rod on head causing injury and the wound is lacerated.

8. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, 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 Azamnagar P.S. Case No. 147 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

9. However, the learned Trial Court before accepting the bail bonds of petitioner No. 8 (Bikki Kumar alias Vikki Kumar) shall verify the injury of the informant on head and in the event if it is found that the injury is grievous in nature, in that event the present anticipatory bail order shall not be given effect to with respect to petitioner No. 8.

(Satyavrat Verma, J)

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