

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48710 of 2022

Arising Out of PS. Case No.-32 Year-2022 Thana- NASRIGANJ District- Rohtas

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1. KABIR SAH @ KABIR KUMAR Son of Devmurat Prasad Resident of Village - Dhanaon English, Police Station- Nasriganj, District - Rohtas.
 2. URMILA DEVI Wife of Devmurat Prasad Resident of Village - Dhanaon English, Police Station- Nasriganj, District - Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramashray Roy, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-01-2023 Heard learned counsel for the petitioners and learned APP for the State through video conferencing in view of the COVID 19.

The petitioners apprehend their arrest in connection with Nasirganj P.S. Case No. 32 of 2022 for the offence registered under Sections 147, 149, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code.

As per the prosecution story, the informant alleged that a path was being constructed from her house. However, the accused persons armed variously came and allegation against the petitioner no. 1 is that he gave iron hammer blow on her head causing head injury. The further allegation against the other accused persons including the petitioner no. 2 is of assault.



Learned counsel for the petitioner submits that the allegation of assault on the head of the informant has been found to be simple in nature.

Learned APP for the State opposes the prayer for bail.

Taking into account the kind of allegation that has come up against the petitioner no. 1, this Court is not inclined to grant him relief and his prayer for anticipatory bail is rejected.

So far as petitioner no. 2, namely Urmila Devi is concerned, since she is a lady and is not having criminal any antecedent, this Court is inclined to grant her the privilege of anticipatory bail.

Let the petitioner no. 2, Urmila Devi, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas in connection with Nasirganj P.S. Case No. 32 of 2022, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha-

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