

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50041 of 2023

Arising Out of PS. Case No.-161 Year-2023 Thana- BIDUPUR District- Vaishali

1. Sumitra Devi W/O Ganour Bhagat, Resident of Village- Kutubpur, P.S. Bidupur, District Vaishali
2. Abhimanyu Kumar S/O Ganaur Bhagat, Resident of Village- Kutubpur, P.S. Bidupur, District Vaishali

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Bidupur P.S. Case No. 161 of 2023 registered for the offence punishable under Sections 341, 323, 447, 324, 307, 354, 354B, 379, 504, 506, 34 of the Indian Penal Code.

3. As per the prosecution case, due to land dispute co-accused Ratan Kumar gave sword blow over Shambhu Kumar and Sumitra Devi, the petitioner No. 1 assaulted the informant with iron rod and she also snatched mangal sutra, gold earring and cash from her daughter-in-law. Petitioner No. 2 alongwith



other co-accused persons outraged the modesty of Anish Kumari and also dashed her on ground.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case due to land dispute. There is case and counter case between the parties. Date of occurrence is 09.03.2023 but the FIR was lodged on 15.03.2023 without explaining the reason for delay. It is also stated that scuffle took place between the parties in which Shambhu Kumar got injury and the allegation causing injury to him is on co-accused Ratan Kumar and not on the petitioners. Petitioner No. 2 himself was injured in the scuffle which took place between the parties. The informant and petitioners are neighbours. The petitioners have no criminal antecedent.

5. Learned A.P.P. opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of their arrest or surrender before the Court below within six weeks from today, the above named petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- 1st Class, Vaishali at Hajipur



in connection with Bidupur P.S. Case No. 161 of 2023, subject
to the conditions laid down in Section 438(2) of the Code of
Criminal Procedure, 1973.

saaurabhkr/-

(Sunil Dutta Mishra, J)

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