

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49285 of 2022

Arising Out of PS. Case No.-398 Year-2022 Thana- DANAPUR District- Patna

1. ANANDI DEVI Wife of Upendra Paswan
2. SWETA RAJ Daughter of Upendra Paswan
3. UPENDRA PASWAN Son of Late Ram Prasad Paswan
4. BULLET @ ADITYA RAJ Son of Upendra Paswan
All are Resident of Anand Bazar, Police Station - Danapur, District - Patna.
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj, Advocate
For the Opposite Party/s : Mr.Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-01-2023 Learned counsel for the petitioners submit that so far as the petitioner no.2 is concerned, she has already been arrested and as such so far as her application is concerned, he seeks permission to withdraw the application.

Permission accorded.

Heard learned counsel for the petitioners and the learned APP for the State through virtual mode in view of COVID-19.

The petitioners apprehend their arrest in connection with Danapur P.S. Case No.398 of 2022 instituted under Sections 341,323,307,504/34 of the Indian Penal Code.

As per the prosecution story, the informant Preety Kumari alleged that while she was renovating her home, the



accused persons led by the petitioner no.1, Anandi Devi came at her place and started beating them. The allegation against petitioner no.1, Anandi Devi is of using iron rod on her head making her unconscious. Further allegation is that the other accused persons also assaulted her.

Learned counsel for the petitioners submits that it is a case and counter case matter in which the petitioner no.2, Sweta Raj also suffered injuries and as she was under treatment, was arrested by the police.

So far as the allegation part is concerned, learned counsel for the petitioners submits that omnibus allegation is against petitioner no.3 and 4. Further, so far as allegation of assault on petitioner no.1 is concerned, he took this Court to Annexure-2, the medical report which shows that the injury on Preety Kumari is simple in nature.

Learned APP on the other hand opposes the prayer for anticipatory bail.

Taking into account the fact that there is case and counter case in which petitioner no.2 has also suffered injuries, the injury inflicted on Preety Devi has been found to be simple in nature, so far as other petitioners are concerned omnibus allegation are there, this Court is inclined to grant them relief.



Let the petitioner nos, 1,3 and 4 be released on bail, in the event of their arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Danapur P.S. Case No.398 of 2022 to the satisfaction of learned Additional Chief Judicial Magistrate, Ist, Danapur, Patna, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

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