

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50043 of 2022

Arising Out of PS. Case No.-53 Year-2022 Thana- JAMALPUR District- Darbhanga

1. POOJA KUMARI W/O ANIL KUMAR MAHTO Resident of village- Jhagarua, P.S.- Jamalpur, District- Darbhanga.
2. ADHURIYA DEVI W/O SITARAM PASI Resident of village- Jhagarua, P.S.- Jamalpur, District- Darbhanga.
3. KIRAN DEVI W/O PRAMOD MAHTO PASI Resident of village- Jhagarua, P.S.- Jamalpur, District- Darbhanga.
4. RANI DEVI W/O BINOD KUMAR MAHTO Resident of village- Jhagarua, P.S.- Jamalpur, District- Darbhanga.
5. UPENDRA PASI S/O ASARAFI PASI Resident of village- Jhagarua, P.S.- Jamalpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar, Advocate
For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-01-2023 Heard Mr. Shashi Bhushan Kumar, learned counsel
for the petitioners and the State.

The petitioners are apprehending arrest in connection with Jamalpur P.S. Case No. 53 of 2022 instituted under sections 147, 148, 149, 341, 323, 307, 379 & 506 of the Indian Penal Code.

As per the prosecution story, the informant alleged that the accused persons assaulted them and in the process also took away their valuables.



The specific allegation is against Ravi Kumar of using iron rod on Yasoda Devi. There is another allegation against Kiran Devi of injuring Rani Devi wife of Binod Mahto.

Learned counsel for the petitioners submit that out of five petitioners, Ravi Kumar is not there. Further, so far as the accusation against the petitioner Kiran Devi of injuring Rani Devi is concerned, no injury report has been found.

Further, considering the fact that there is allegation of causing injury to Yasoda Devi is although the same has been found to be simple in nature (Annexure-2), the petitioners would like to give medical assistance of Rs. 10, 000/- irrespective of outcome of the present case through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

The learned APP on the other hand opposes the prayer.

Taking into account the aforesaid fact that there is no allegation against petitioner no.5 Upendra Pasi, all the four petitioners are women, they do not have any criminal antecedent and so far as the allegation against Kiran Devi is concerned, injury report of Rani Devi has been found to be simple in



nature, this Court is inclined to grant them relief subject to payment of Rs. 10,000/- as medical assistance as stated above.

Let the petitioners be released on bail, in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned S.D.J.M., Benipur, Darbhanga, in connection with Jamalpur P.S. Case No. 53 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Ravi/-

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