

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61093 of 2023

Arising Out of PS. Case No.-210 Year-2021 Thana- SULTANGANJ District- Bhagalpur

1. Nabita Devi @ Navita Devi Wife Of Mukesh Ray @ Mukesh Kumar Ray Resident Of Village Adarsh Nagar Sultanganj, Ps- Sultanganj, Dist- Bhagalpur
2. Priti Kumari @ Laxmi Kumari Daughter Of Mukesh Ray @ Mukesh Kumar Ray Resident Of Village Adarsh Nagar Sultanganj, Ps- Sultanganj, Dist- Bhagalpur

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Kshem Sharma, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 06-12-2023 Heard Mr. Kshem Sharma, learned counsel appearing on behalf of the petitioners and Mr. Satyendra Narayan Singh, learned Additional Public Prosecutor for the State. The informant is represented by Mr. Vishwanath Mahto, learned counsel.

2. The petitioners are apprehending their arrest in connection with Sultanganj P.S. Case No. 210 of 2021, registered for the offences punishable under Sections 452, 341, 323, 436, 504, 506 and 34 of the Indian Penal Code.

3. The prosecution case is based on the written report of the informant alleging therein that after institution of Sultanganj P.S. Case No. 175 of 2021, all the accused persons



started unnecessary fighting with the informant and her family members. On 18.09.2021 the petitioners, alongwith others banged into the house of the informant and started assaulting the informant and her family members. It is specifically alleged that the petitioner No.1 assaulted the informant by means of scissors due to which she sustained injury in her hand. There are other allegations against other accused persons including the allegation of liting fire in the mat which was kept in the house.

4. It is submitted on behalf of the petitioners that there is counter version of the present case bearing Sultanganj P.S. Case No. 211 of 2021 instituted by petitioner No.2 against the informant and her family members. Moreover, the injury which is said to have sustained in the hand of the informant, the same has been found to be simple in nature, caused by hard and blunt substance. It is further submitted that both the petitioners are lady, having fair antecedent and they undertake that they will fully cooperate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State as well as informant vehemently opposed the pre-arrest bail application and submit that there is specific allegation against the petitioner No.1, who assaulted the informant by means of



scissors.

6. Regard being had to the submissions made on behalf of the parties and considering the case and counter case, coupled with the simple nature of injury and the fair antecedent, all the more the petitioners are ladies, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Additional Chief Judicial Magistrate Ist Bhagalpur, in connection with Sultanganj P.S. Case No. 210 of 2021, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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