

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52920 of 2023

Arising Out of PS. Case No.-53 Year-2023 Thana- PUSA District- Samastipur

1. GUDIYA DEVI @ GURIYA KUMARI @ GURIYA DEVI WIFE OF
JITENDRA KUMAR RESIDENT OF VILLAGE - HARPUR PUSA, P.S. -
PUSA, DISTRICT - SAMASTIPUR
2. KAUSHALYA DEVI WIFE OF KRISHNA MURARI MAHTO RESIDENT
OF VILLAGE - HARPUR PUSA, P.S. - PUSA, DISTRICT -
SAMASTIPUR
3. BINDU DEVI WIFE OF SANJAY MAHTO RESIDENT OF VILLAGE -
HARPUR PUSA, P.S. - PUSA, DISTRICT - SAMASTIPUR
4. SANJAY KUMAR SON OF KRISHNA MURARI MAHTO RESIDENT
OF VILLAGE - HARPUR PUSA, P.S. - PUSA, DISTRICT -
SAMASTIPUR
5. JITENDRA KUMAR SON OF KRISHNA MURARI MAHTO RESIDENT
OF VILLAGE - HARPUR PUSA, P.S. - PUSA, DISTRICT -
SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 17-08-2023 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.
2. Learned counsel for the petitioners seeks
permission to withdraw the anticipatory bail application with
respect to petitioner no. 4 (Sanjay Kumar).
3. Permission is accorded.
4. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 147, 148,



323, 324, 325, 354, 379 and 308 of the Indian Penal Code.

5. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner nos. 1, 2 and 3 are women.

6. The informant alleges that accused persons in the night of 28.04.2023 arrived with *lathi*, *danda*, rod etc. and started constructing hut on his land, accordingly he informed the police and on arrival of the police, the matter was pacified, it is next alleged that at 01:00 PM on the same day, the accused persons again came and started construction of the hut, on protest, accused persons assaulted causing injury on head and when he fell down, it is alleged that Gudiya Devi took his gold chain while Mrityunjay received injuries on his left hand finger and his right hand got fractured and the teeth was also broken, further Dhananjay was assaulted by sharp edged rod causing injury on chin and also received injuries on both hands, thereafter Ashutosh was assaulted by *Katta* (sharp edged weapon) causing injury below his eye and lips and thereafter the injured were taken to the hospital.

7. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that petitioner nos. 1, 2 and 3 are women and



allegation of snatching gold chain by Gudiya Devi is ornamental. It is further submitted that no specific allegation of assault is alleged against the petitioners.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

9. Considering the submissions made by the learned counsel for the petitioners, the **petitioner nos. 1, 2, 3 and 5 above-named**, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Pusa P.S. Case No. 53 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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