

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60006 of 2023

Arising Out of PS. Case No.-627 Year-2022 Thana- GAURICHAK District- Patna

1. Rahul Kumar @ Rahul Kumar Rahul, S/o Vidyanand Prasad, R/O Village- Kachhiyawan, P.S- Nagarnausa, Distt.- Nalanda.
2. Pooja Kumari, D/O Vidyanand Prasad, R/O Village- Kachhiyawan, P.S- Nagarnausa, Distt.- Nalanda.
3. Sushila Devi, W/O Vidyanand Prasad, R/O Village- Kachhiyawan, P.S- Nagarnausa, Distt.- Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Gaurichak P.S. Case No. 627 of 2022 registered for the offences punishable under Sections 147, 149, 341, 323, 379, 506 and 307 of the Indian Penal Code. They have no criminal antecedent.

3. As per the prosecution story, the informant alleges that even after divorce between one Puja Kumari and Sujit Kumar, the father of Puja Kumari, namely, Vidyanand Prasad kept on demanding Rs.5,00,000/-. On 04.09.2022 at about 02:00 P.M. the FIR named accused persons armed with lathi danda and



iron rod assaulted the informant. One Sushila Devi (petitioner no. 3) assaulted the informant by *danda* which hit her left eye. One Rahul Kumar (petitioner no. 1) snatched her *mangalsutra* and Rs.20,000/- which was kept in her suitcase.

4. Learned counsel for the petitioners submits that these petitioners are innocent and have been falsely implicated in this case. It is submitted that the informant fell down from a ladder and has sustained simple injury in her left eye and snatching of *mangalsutra* and head injury are only super-additions. It is further submitted that the co-accused Chhote Bind, Kauleshwari Devi, Chandani Devi and Vidyanand Prasad have been granted privilege of anticipatory bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 14974 of 2023.

5. Learned APP for the State has opposed the prayer for pre-arrest bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein it is submitted that the allegations against the petitioners are false, the informant fell down from a ladder in quarrel, she had got simple injury only on her left eye, the allegation of assault on head and snatching of mangalsutra are only super-additions and further that the co-accused Chhote Bind, Kauleshwari Devi, Chandani Devi and Bidyanand Prasad



have been granted privilege of anticipatory bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 14974 of 2023, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above named be released on bail in connection with Gaurichak P.S. Case No. 627 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M, Patna City, Patna, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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