

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58721 of 2023

Arising Out of PS. Case No.-104 Year-2022 Thana- HARLAKHI District- Madhubani

1. ASHOK SINGH @ ASHOK KUMAR SINGH SON OF LATE RAM SWARTH SINGH RESIDENT OF VILLAGE- SISAUNI, PS- HARLAKHI, DIST- MADHUBANI
2. SAROJ SINGH SON OF LATE RAM SWARTH SINGH RESIDENT OF VILLAGE- SISAUNI, PS- HARLAKHI, DIST- MADHUBANI
3. PINKI DEVI @ PINKI KUMARI WIFE OF ASHOK SINGH @ ASHOK KUMAR SINGH RESIDENT OF VILLAGE- SISAUNI, PS- HARLAKHI, DIST- MADHUBANI
4. SWAYMPRABHA DEVI WIFE OF SAROJ SINGH RESIDENT OF VILLAGE- SISAUNI, PS- HARLAKHI, DIST- MADHUBANI
5. DEVKALA DEVI WIFE OF RAM BAHADUR SINGH RESIDENT OF VILLAGE- SISAUNI, PS- HARLAKHI, DIST- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Vinod Kumar, Advocate Mr. Udeshya Kr. Yadav, Advocate
For the Opposite Party/s :		Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Harlakhi P.S. Case No. 104 of 2022 dated 23.04.2022, instituted for the offence punishable under Sections 448, 307, 379/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on



13.04.2022 at about 08:00 am, when the informant was sitting at the door, then all the named petitioners armed with dagger, lathi, rod and knife came there. Thereafter, petitioner no. 2 namely, Saroj Singh caught hold the informant and petitioner no. 1, namely, Ashok Singh assaulted him with dagger and petitioner no. 3 assaulted him with knife due to which the informant sustained injury. When the informant's father came to save him, he was also assaulted. Further, when the informant's mother came to save him then petitioner nos. 4 and 5 assaulted her with lathi and snatched a golden chain from her neck.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that occurrence took place on 13.04.2022 but the F.I.R. was lodged on 23.04.2022 after lapse of ten days of alleged occurrence. Learned counsel further submitted that petitioner no. 3 namely Pinky Kumari has also lodged a case bearing Harlakhi P.S. Case No. 98 of 2022 on 15.04.2022 for the occurrence of the same day i.e. 13.04.2022. It is further submitted that in the case lodged by Pinky Kumari against the informant side, they have also received injuries. It is further submitted that informant filed the present false case against the petitioners to save his skin. As per the injury report,



the injuries found on the persons of the informant and his father are simple in nature. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Harlakhi P.S. Case No. 104 of 2022, they shall be released on anticipatory bail 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 J.M.-I, Benipatti, District- Madhubani, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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