

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59242 of 2023

Arising Out of PS. Case No.-304 Year-2023 Thana- MADHAURAH District- Saran

-
1. Lalti Devi, aged about 45 years, Gender-Female, Wife of Harindra Rai @ Harindar Rai.
 2. Harindra Rai @ Harindar Rai, aged about 50 years, Gender-Male, Son of Late Ramashish Rai.
Both resident of Village- Sendhwari, P.S.- Madhourah (Morhowrah), District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-10-2023 Heard Mr. Dewendra Narayan Singh, learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Madhourah (Morhowrah) P.S. Case No. 304 of 2023, registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.

3. Allegedly while the daughter of the informant coming to her house after taking water, in the meantime the petitioners and others caught hold her and started assaulting by fists and kick. When the informant and others came to her rescue, all the accused persons brutally assaulted them which



resulted into the injuries to four persons of the informant side. It is specifically alleged that the petitioners have snatched and taken away the golden neckless and other valuables articles worth Rs. 14,000/-.

4. Learned counsel appearing on behalf of the petitioners submits that from the narration of the FIR, it is evident that no specific allegation has been levelled against the petitioners rather an omnibus allegation has been levelled against all the family members, however, in order to make the case graver, allegation of snatching of golden chain has been levelled against the petitioners, barring this, there is no other allegation against the petitioners. He next submits that the petitioner no. 1 is a lady having fair antecedent. Moreover, they undertake that they will not indulge in such type of crime in future. He further drew the attention of this Court to the injury reports of all the injured and with reference thereto, submits that the injuries sustained to the persons of the informant side are simple in nature, except the one, which is allegedly caused to mother-in-law of the informant namely Bunda Devi, but that is not attributed to the petitioners. The petitioners further undertakes 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 opposes the bail application and submits that four persons have sustained injuries and as such the complicity of the petitioners, who are named in the FIR cannot be denied.

6. Regard being had to the submissions made on behalf of the parties and considering genesis of the case and the omnibus nature of allegation and the fact that all the persons have sustained simple injury, except one caused to Binda Devi, let the petitioners abovenamed 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 Chief Judicial Magistrate, Saran at Chapra in connection with Madhourah (Morhowrah) P.S. Case No. 304 of 2023, 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)

Anand Kr.

U		T	
---	--	---	--

