

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60941 of 2022

Arising Out of PS. Case No.-410 Year-2021 Thana- BHELDI District- Saran

1. Nilam Devi, W/O Rajesh Kumar Rai R/O Village- Sonaha, Marhaura, P.S- Marhaura, District- Saran at Chapra At present address Cloney Marhaura, P.S Marhaura, District- Saran at Chapra
2. Rajesh Kumar Rai S/O Late- Murli Rai @ Murli Prasad Yadav R/O Village- Coloney Marhaura, P.S- Marhaura, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rajani Kumari, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-04-2023 Heard Mrs. Rajani Kumari, learned counsel appearing on behalf of the petitioner and Mr. Nitya Nand Tiwary, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bheldi P.S. Case No. 410 of 2021, registered under Sections 147, 149, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

The prosecution case, in brief, is that petitioner and other co-accused persons named in the F.I.R. brutally assaulted the informant side. Specific allegation against the petitioners are that they assaulted informant and her daughter in law Bindu Devi and they also snatched golden chain from the neck of the informant.



Learned counsel appearing on behalf of the petitioners submitted that general and omnibus allegation has been levelled against the petitioners and one co-accused Sharmila Devi. The petitioners and informant are Gotiya and in self defence the petitioners assaulted the informant. The petitioners have no criminal antecedent.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

Having heard both the sides and the material available on the record as well as considering the facts and circumstances of the case, both the parties assaulted each other, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Bheldi P.S. Case No. 410 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Purnendu Singh, J)

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