

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69373 of 2023

Arising Out of PS. Case No.-76 Year-2023 Thana- KHAIRA District- Jamui

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1. Dhuro Yadav S/O Baso Ydav R/o vill - Jorbaha, Dharampur, P.S. - Khaira, Distt. - Jamui
 2. Meena Devi Wife of Dhuro Yadav R/o vill - Jorbaha, Dharampur, P.S. - Khaira, Distt. - Jamui
 3. Ruby Kumari @ Rubi Devi D/o Dhuro Yadav R/o vill - Jorbaha, Dharampur, P.S. - Khaira, Distt. - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 08-11-2023 1. Heard learned counsel for the petitioners and the learned APP for the State.
2. The petitioners apprehend their arrest in connection with Khaira P.S. Case No. 76 of 2023 dated 21.02.2023 registered for the offence(s) punishable under Section(s) 341, 323, 354, 308, 504/34 of the Indian Penal Code.
3. The main submissions advanced by the learned counsel for the petitioners are that the petitioner no.1 is the husband and father of petitioner nos. 2 and 3 respectively and the petitioners and informant are co-villagers, agnates and next door neighbours and the alleged occurrence was not pre-



planned, in fact, a cow of the informant entered into the field of the petitioner no.1 and grazed huge quantity of maize crop planted in the field of the petitioners and thereafter in the spur of moment the alleged occurrence took place and there is no serious allegation against the petitioner no. 1 and 3 and as per FIR petitioner no.2 assaulted at the head of the informant by means of an iron rod though at the skull of the informant one grievous injury has been found but the same has been found as a hair line fracture and the petitioners have got no criminal antecedent.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Considering the above submissions and nature of allegation appearing against petitioner nos. 1 and 3 , **this court is inclined to accept their anticipatory bail prayer. Accordingly, let the petitioners no. 1 (Dhuro Yadav) and petitioner no. 3 (Rubi Kumari @ Rubi Devi), in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail** in connection with Khaira P.S. Case No. 76 of 2023 on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction



of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

6. So far as the prayer for anticipatory bail of petitioner no.2. (Meena Devi) is concerned as according to allegation made in the FIR she inflicted an iron rod blow at the head of the informant which resulted in an injury as appears from her injury report filed as Annexure-2 and the said injury has been opined to be grievous in nature, **hence this court is not inclined to accept her anticipatory bail prayer. Accordingly, prayer of petitioner no. 2 (Meena Devi) stands rejected.**

(Shailendra Singh, J)

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