

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73166 of 2022

Arising Out of PS. Case No.-41 Year-2022 Thana- JANKINAGAR District- Purnia

1. MANAN KUMAR DEV @ MANTU PODDAR Son of Late Bindeshwari Poddar Resident of Village - Chopra Bazar, Ward No.- 06, P.S.- Janki Nagar, District - Purnea.
2. Sudha Devi Wife of Manan Kumar Dev @ Mantu Poddar Resident of Village - Chopra Bazar, Ward No.- 06, P.S.- Janki Nagar, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh
For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-04-2023 Heard learned counsel for the petitioners as well as learned APP for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 447, 341, 323, 354, 379, 325, 504 of the Indian Penal Code.

As per the FIR, petitioner no.1 entered into the house of the informant and started assaulting his wife and also tried to outrage the modesty of his wife. On hearing noise, the informant went to save his wife then the petitioners assaulted him due to which he sustained injuries.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence.



They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. Petitioner no.1 is the full brother of the deceased i.e. the informant and petitioner no.2 is the wife of the petitioner no.1. He submits that the first FIR was lodged by the deceased himself thereafter the wife of the deceased lodged a second FIR (Annexure-2). He further submits that the informant died in a road accident and petitioners have no concern with the alleged incident, this fact is also apparent from the perusal of the case diary. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, 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 six weeks from today, 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 the learned court below where the case is pending/Successor Court in



connection with Janki Nagar P.S. Case No.41 of 2022, subject to
the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

shikha/-

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

