

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12284 of 2024

Arising Out of PS. Case No.-337 Year-2023 Thana- CHENARI District- Rohtas

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1. Dasharath Yadav @ Dashrath Singh S/o Basawan Yadav R/o Vill - Karama, P.S. - Chenari, Dist. - Rohtas
 2. Fuljhari Devi W/o Dasharath Yadav R/o Vill - Karama, P.S. - Chenari, Dist. - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 12-03-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. Learned counsel for the petitioners submits that during the pendency of this bail application the petitioner no. 1 has been arrested. Accordingly, he seeks permission to withdraw this application.
3. Permission is granted.
4. This bail application in respect of the petitioner no. 1 is, accordingly, dismissed as withdrawn.
5. In so far as the petitioner no. 2 is concerned, this application, for grant of anticipatory bail, arises out of Chanari Police Station Case No. 337 of 2023, dated



27.10.2023, disclosing offences under Sections 341/323/354-B/307/504/506/34 of the Indian Penal Code.

6. The prosecution case, as per the First Information Report, is that on 24.10.2023, the petitioner no. 2 assaulted the informant's sister by means of iron rod (rama) on her head due to which she sustained injury.
7. Learned Counsel for the petitioners submits that both the parties are closely related inasmuch as the petitioner no. 1 and the father of the informant are own brother and there is land dispute between them. A counter case has also been lodged by the side of the petitioners against the informant and other, bearing Chanari Police Station Case No. 338 of 2023 under Sections 341/323/307/504/506/34 of the Indian Penal Code. The injury caused to the informant's sister is simple in nature, as would be evident from injury report annexed at Annexure-P/3.
8. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are closely related, there is case and counter-case between the parties and injury caused to the victim is simple in nature, I am inclined to grant the petitioner no. 2 privilege of anticipatory bail.



9. This bail application in respect of petition no. 2 is, accordingly, allowed.

10.Let the petitioner no. 2, Fuljihari Devi, in the event of her arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Sasaram, Rohtas, in connection with Chenari Police Station Case No. 337 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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