

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10003 of 2024

Arising Out of PS. Case No.-687 Year-2023 Thana- PURNEA SADAR District- Purnia

1. Sona Hembram @ Sonia Hembram @ Soni Hembram Son of late Lakhan Hembram @ Lakhan Manjhi Resident of Vill.-Rampur Ramna, Ward No.10, P.S.-Sadar, Distt.-Purnia
2. Durga Devi Wife of Mohan Mistri Resident of Vill.-Rampur Ramna, Ward No.10, P.S.-Sadar, Distt.-Purnia
3. Ajay Kumar Hembram @ Ajay Hembram Son of Mohan Mistri Resident of Vill.-Rampur Ramna, Ward No.10, P.S.-Sadar, Distt.-Purnia
4. Mohan Mistri Son of Barku Mistri Resident of Vill.-Rampur Ramna, Ward No.10, P.S.-Sadar, Distt.-Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bidhu Ranjan, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-02-2024 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Sadar (Muffasil) P.S. Case No. 687 of 2023 for the offence registered under sections 147, 148, 149, 341, 327, 324, 379, 307, 427, 428, 435, 504 and 506 of the Indian Penal Code lodged on 06.08.2023 by the informant, Mohan Murmu.

3. As per the prosecution story, the informant alleged that due to land dispute, the accused persons stormed and tried to dismantle the hut. When he objected to it, they assaulted as



also took away Rs. 5,000/-/silver and other materials. Further allegation is that they went to hospital and after treatment while coming back, once again abused and several articles taken away from the house. Accordingly, the FIR.

4. Learned Counsel for the petitioners submit that though allegation of assault on the head has been attributed, the injury has been found to be simple in nature. It is his further submission that from the aged 70 years old, petitioner no.1 to the wife of petitioner no. 4, all have been implicated.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Taking into account the aforesaid facts, the allegations are omnibus in nature, injury has been found to be simple, one of the petitioner is lady and none of them have criminal antecedent, this Court is inclined to extend them privilege of anticipatory bail.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Sadar (Muffasil) P.S.



Case No. 687 of 2023 subject to condition as laid down under
Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of
the petitioners, who shall provide official document to show
their *bona fide*;

(ii) the petitioners shall appear on each and every date
before the Trial court and failure to do so for two consecutive
dates without plausible reason will entail cancellation of their
bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or
promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of their bail bonds;

(iv) the petitioners shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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