

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13490 of 2024

Arising Out of PS. Case No.-470 Year-2023 Thana- GORAUL District- Vaishali

1. Manju Devi W/O Devendra Rai R/O Rasulpur Daud, P.S- Goraul Kathara O.P., Distt.- Vaishali.
2. Devendra Rai S/O Late Kuna Rai R/O Rasulpur Daud, P.S- Goraul Kathara O.P., Distt.- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Sinha, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 22-03-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Goraul P.S. Case No. 470 of 2023 dated 04.11.2023 instituted for the offence punishable under Sections 341, 323, 324, 379, 325, 307/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged date and time of occurrence, the informant along with others was working in his land. At that time, the petitioners and other accused persons, armed with lathi-danda and sword, came and on the order of petitioner no. 2, namely, Devendra Rai, other accused persons inflicted sword blow on the informant's son,



namely, Raju Rai. In order to save Raju Rai, the informant fell down on the body of his son. Thereafter, they inflicted sword blow on the head of Shivkumari Devi causing injury to her. They also assaulted the informant's daughter-in-law and daughter with lathi-danda. Allegation against the petitioner no. 1, namely, Manju Devi is that she along with her daughter-in-law snatched chain of gold and ear-top worth of Rs. 80,000/-.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that both the parties are descendant from common ancestor. The allegation against the petitioner no. 2 is that he ordered to kill Raju Rai on which co-accused Sushil Kumar Rai and Raja Rai inflicted sword blow and in order to save Raju Rai, the informant fell down on the body of his son. Allegation against petitioner no. 1 is that she along with one other co-accused persons snatched the gold chain and ear top worth of Rs. 80,000/-. Learned counsel for the petitioners submits that injury report of the Shivkumari Devi is stated to be simple in nature caused by hard and blunt substance. There is a case and counter case bearing Goraul P.S. Case No. 477 of 2023 which has been lodged on 08.11.2023 by petitioner no. 1 against the family members of the informant. Lastly, it has



been submitted that petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Goraul P.S. Case No. 470 of 2023, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali, Hajipur subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

premchand/-

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

