

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21651 of 2024

Arising Out of PS. Case No.-120 Year-2023 Thana- KAMTAUL District- Darbhanga

1. Ajit Sah @ Ajit Kumar son of Upendra Sah Village- Mohammadpur Ps- Kamtaul Dist- Darbhanga
2. Vimal Devi wife of Yogendra Sah Village- Mohammadpur Ps- Kamtaul Dist- Darbhanga
3. Shilpi Devi wife of Amarjeet Sah Village- Mohammadpur Ps- Kamtaul Dist- Darbhanga
4. Rajani Devi @ Ranjani Devi wife of Amardeep Sah Village- Mohammadpur Ps- Kamtaul Dist- Darbhanga
5. Kanchan Devi wife Ajit Sah Village- Mohammadpur Ps- Kamtaul Dist- Darbhanga
6. Komal Kumari D/o- Upendra Sah Village- Mohammadpur Ps- Kamtaul Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary
For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-04-2024 Heard learned counsel for the petitioners and

learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Kamtaul P.S. Case no. 120 of 2023 instituted for the offence under Sections 302, 341, 323, 324, 307, 354(B), 379, 504, 506/34 of the Indian



Penal Code.

It is alleged that all the F.I.R named accused persons including the petitioners came armed with lathi, danda, iron rod and started abusing the informant and when the informant made protest, they started assaulting the informant due to which she succumbed to injuries. When the daughter-in-law came to save her, she was pushed on the ground by co-accused Yogendra Sah. The accused persons also took away the household articles. Allegation against the petitioner Ajit Sah took away a box containing gold and silver jewelry along with Rs. 20,000/- cash.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. The petitioners are agnates and in the background of some land dispute, the present accusation has been levelled. There is general and omnibus allegation against the petitioners. For the alleged occurrence of 30.05.2023, the *fardbeyan* was



recorded on 02.06.2023 without explaining the delay. The doctor during postmortem has not found any external injury on the part of the body of the deceased. During investigation, the independent witnesses have stated that deceased was admitted to the Hospital as she became ill due to her illness and she was suffering from bronchitis. Several co-accused persons have been granted bail vide order dated 08.09.2023, passed in Cr. Misc. No. 50822 of 2023 by this Court.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioners.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Kamtaul P.S. Case no. 120 of 2023,



they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Darbhanga, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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