

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21453 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Smita Devi @ Asmita Devi W/o Rambabu Ray R/o vill - Jitwarpur Chauth, P.S. - Samastipur Muffasil, Distt. - Samastipur
 2. Gulshan Kumar S/o Gopal Ray R/o vill - Jitwarpur Chauth, P.S. - Samastipur Muffasil, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 354, 307, 324, 447, 379, 504, 506, 34 of the Indian Penal Code.

3. As per F.I.R., petitioner no. 1 is alleged to have snatched Mangalsutra worth Rs. 30,000/- from the informant and petitioner no. 2 & co-accused Rambabu put nasty things into the mouth of informant.

4. Learned counsel for the petitioners submits that as a matter of fact, due to petty dispute, a scuffle took place between the parties, in which both sides sustained injury. There is case and counter case. F.I.R. has been lodged after a delay of 3 days. Petitioners have got clean antecedent.



5. Learned A.P.P. for the State vehemently opposed the bail petition.

6. Considering the nature of allegation, the prayer for anticipatory bail of petitioner no. 2 (Gulshan Kumar) is rejected.

7. So far as prayer for bail of petitioner no. 1 (Smita Devi @ Asmita Devi) is concerned, she is only alleged to have snatched *Mangalsutra* of informant, her prayer for anticipatory bail is allowed and in the event of her arrest/surrender within a period of six weeks from today, the petitioner no. 2 namely Smita Devi @ Asmita Devi is directed to be enlarged 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 Addl. Chief Judicial Magistrate – II, Samastipur in connection with Samastipur Muffasil P.S. Case No. 22 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This anticipatory bail application is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

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