

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25223 of 2024

Arising Out of PS. Case No.-235 Year-2021 Thana- MADHUBAN District- East Champaran

1. Jairam Prasad SON OF MUKUL BHAGAT RESIDENT OF VILLAGE- SAWANGIYA, PS- MADHUBAN, DIST- EAST CHAMPARAN
2. RANI DEVI WIFE OF SHRI BHAGWAN PRASAD RESIDENT OF VILLAGE- SAWANGIYA, PS- MADHUBAN, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar
For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-07-2024 Heard Mr. Anil Kumar, learned counsel appearing on behalf of the petitioner as well as Mr. Dilip Kumar No.1, learned APP on behalf of the State.

2. Earlier, the order dated 10.04.2024 was wrongly created as order no.4 instead of order no.2, as such the same may be read as order no.2.

3. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 354(B), 447, 504/34 of the Indian Penal Code.

4. As per the FIR, the petitioner and other co-accused persons went to the house of the informant and abused her. On protest, the petitioner and other co-accused persons assaulted



the informant and her husband.

5. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is a case and counter case between the parties and both sides are agnates. Learned counsel for the petitioner brought on record the counter case filed by the informant's side by way of supplementary affidavit from which it is apparent that the present case is counter version of Madhuban P.S. Case No.236 of 2021. He further submits that the injuries are of simple nature. Petitioners have no criminal antecedent.

6. Learned APP for the State opposed the prayer for anticipatory bail.

7. Having regard to the facts and circumstances of the case as well as considering that both sides are agnates and there is a case and counter-case between them, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/-



(Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Madhuban P.S. Case No.235 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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