

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27662 of 2024

Arising Out of PS. Case No.-286 Year-2023 Thana- SARAI District- Vaishali

1. Geeta Devi wife of Vimal Mishra Village- Mahmadabad Ps- Sarai Dist- Vaishali
2. Choti Kumari @ Princi Kumari D/o- Vimal Mishra Village- Mahmadabad Ps- Sarai Dist- Vaishali

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners :Mr.Mritunjay Kumar, Advocate

For the Opposite Party/s :Mr.Jharkhandi Upadhyay, Addl Public Prosecutor

Mr. Rajeev Ranjan No. II and Kumari Rupa, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-05-2024

Heard learned counsel for the parties.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 379/302/504/506 and other ancillary sections of the Indian Penal Code.

3. As per the prosecution case, on the alleged date and time of the occurrence, all the FIR named accused persons including these petitioners came to the house of the informant and abused and assaulted the informant and his father as a result of which father of the informant sustained injuries and died during treatment. Petitioner no.1 took Rs.3500/- from the informant's pocket and other accused persons snatched golden chain worth Rs.9000/-.

4. It is submitted on behalf of the petitioners that petitioners are agnate and due to assertion of title and possession by both parties over their land, situated nearby petitioners' house, simple marpit took place between the parties. Allegation of assault is general and omnibus and no specific overt act has been alleged against these petitioners. Petitioners claim clean



antecedent.

5. Learned counsel for the State as well as the informant oppose the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Vaishali at Hajipur in Sarai Police Station Case No. 286 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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