

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26591 of 2024

Arising Out of PS. Case No.-496 Year-2023 Thana- BAHADURPUR District- Darbhanga

1. Sunaina Kumari W/O Amarnath Yadav RESIDENT OF VILLAGE
KAMALPUR POLICE STATION BAHADURPUR (PATOR OP)
DISTRICT DARBHANGA
2. Archana Kumari D/O Amarnath Yadav RESIDENT OF VILLAGE
KAMALPUR POLICE STATION BAHADURPUR (PATOR OP)
DISTRICT DARBHANGA
3. Ambika Kumari D/O Amarnath Yadav RESIDENT OF VILLAGE
KAMALPUR POLICE STATION BAHADURPUR (PATOR OP)
DISTRICT DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Adv.
For the Opposite Party/s : Mr.Anish Chandra, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-05-2024 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 offences punishable under Sections 341, 323, 324, 308, 385/34 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioners are said to have assaulted the informant and his nephew brutally with deadly weapons due to which they sustained injuries.

4. It is submitted by learned counsel for the petitioners



that the petitioners are quite innocent and they have committed no offence. No such occurrence as alleged has ever taken place. They have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted previous dispute between the parties in regard to drain and passage. There is case and counter case between the parties. Both sides have sustained injuries. The injuries sustained by the victims are simple in nature, which is also evident from the impugned order. There is inordinate and abnormal delay of about 14 days in lodging the FIR without assigning any plausible and convincing reason for the said delay. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is delay in lodging the FIR and both sides have sustained injuries, 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 lower Court where the case is pending/successor Court in connection with Bahadurpur (Pator O.P.) P.S. Case No. 496 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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