

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29442 of 2024

Arising Out of PS. Case No.-523 Year-2023 Thana- BHORE District- Gopalganj

1. Kiran Devi @ Kiran Kumari D/o Lalan Singh Resident of Village- Rakba,
Police Station- Bhore, District- Gopalganj
2. Lakshaminia Devi @ Vijaya Laxmi Devi @ Lakshamina Devi Wife of Lalan
Singh Resident of Village- Rakba, Police Station- Bhore, District- Gopalganj
3. Sarvajeet Singh son of Late Gopal Singh Resident of Village- Rakba, Police
Station- Bhore, District- Gopalganj
4. Panwa Devi D/o Sarvajeet Singh Resident of Village- Rakba, Police Station-
Bhore, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with
Bhore PS Case No.523 of 2023 dated 22-10-2023, instituted
under Sections 341, 323,324, 325, 307, 354(B), 379, 387, 427
and 504/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 22.10.2023 at
4:35 P.M. the close relatives of the informant came to her plot



and tried to demolish the newly constructed boundary over the plot. The mother-in-law of the informant, namely, Gyanti Devi was sitting there. It is alleged that one of the co-accused person, namely, Lalan Singh demanded Rs. 5 lakh as extortion and on denial one of the co-accused persons, namely, Aman Singh assaulted the mother-in-law of the informant by means of *Farsa* over her head and other co-accused, namely, Anmol Singh assaulted her by iron rod (*Rama*). While some persons came to rescue her, they were also assaulted by the accused persons. The petitioners also tried to demolish the boundary wall and assaulted Aitwari Devi and Mina Devi. One Mithilesh Singh assaulted Mina Devi by rod and caught the hair of Aitwari Devi. Panwa Devi snatched the *Mangalsutra* of the mother-in-law of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that there is specific allegation against co-accused, namely, Aman Singh and Anmol Singh of assaulting the informant's mother-in-law on her head and knee by means of *Farsa* and iron rod (*Rama*) respectively. It is further submitted that there is general and omnibus allegation against the petitioners. Both the parties are agnates. It is



submitted that earlier petitioner no.2, namely Lakshaminia Devi @ Vijaya Laxmi Devi @ Lakshamina Devi lodged the FIR bearing Bhore PS Case no. 522 of 2023 dated 22-10-2023 for the same occurrence against the informant and his family members under Sections 341, 323, 324, 354, 504, 506/34 of the IPC. It is submitted that the injury report of mother-in-law of the informant, namely, Gyanti Devi has been annexed as Annexure-P/3 series, which shows the nature of injury to be simple caused by hard and blunt substance, but after C.T. Scan, two injuries are opined to be grievous in nature for which the petitioners are not responsible. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM Gopalganj, in Bhore PS Case No.523 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.



7. The application stands allowed.

(Khatim Reza, J)

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