

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31347 of 2024

Arising Out of PS. Case No.-290 Year-2023 Thana- PATEPUR District- Vaishali

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1. Chandrakala Devi @ Chanda Devi WIFE OF Kailash Rai RESIDENT OF VILLAGE- AWAWAKARPUR KWAHI, PS- PATEPUR, DIST- VAISHALI
 2. SUJEET KUMAR SON OF KAILASH RAI RESIDENT OF VILLAGE- AWAWAKARPUR KWAHI, PS- PATEPUR, DIST- VAISHALI
 3. PRITI KUMARI WIFE OF PAPPU KUMAR RESIDENT OF VILLAGE- AWAWAKARPUR KWAHI, PS- PATEPUR, DIST- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dwij Raj, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Patepur Police Station Case No. 290/2023 for the offence punishable under Sections, 341, 323, 324, 354, 307, 379, 504, 506/34 of the IPC.

3. As per prosecution case, the informant's mother and brother were mercilessly assaulted by the petitioners. It is further alleged that mother of the informant was given a *Farsa* blow causing a cut injury on the left side of her head by one co-accused, namely, Pappu Kumar. Petitioners No. 2 and 3 are alleged to have snatched *Jitiya* (necklace) worth of Rs. 15000/-



from the neck of informant's mother.

4. Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case only on the basis of ongoing land dispute between the parties. Learned counsel further submits that both the parties are co-sharers and due to land dispute between them, the present occurrence took place. It is further submitted that the specific allegation of assault is against Pappu Kumar and so far as petitioners no. 1 and 3 are concerned, they are alleged to have snatched *Jitiya* (necklace) worth of Rs. 15000/- from the neck of informant's mother which are ornamental in nature. Petitioners claim clean antecedent.

5. Learned counsel for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions advanced on behalf of the learned counsel for the petitioners and the nature of allegation, prayer for anticipatory bail of the petitioners stands allowed. In the event of arrest/surrender within six weeks from today, let the 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 learned Chief Judicial Magistrate, Vaishali at Hajipur in Patepur



Police Station Case No. 290/2023, subject to the conditions as
laid down under section 438(2) of the Code of Criminal
Procedure.

(Prabhat Kumar Singh, J)

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