

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40852 of 2024

Arising Out of PS. Case No.-192 Year-2023 Thana- CHAUTHAM District- Khagaria

1. MAMTA KUMARI W/O BRAJESH MANDAL R/O VILLAGE- FARREH, P.S- CHAUTHAM, DISTT.- KHAGARIA.
2. DEBKI DEVI W/O DEBNARAYAN MANDAL R/O VILLAGE- FARREH, P.S- CHAUTHAM, DISTT.- KHAGARIA.
3. DEBNARAYAN MANDAL S/O KAMLESHWARI MANDAL R/O VILLAGE- FARREH, P.S- CHAUTHAM, DISTT.- KHAGARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh (APP)

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Chautham P.S. Case No. 192 of 2023 instituted under Sections 448, 341, 323, 354(B), 308, 379, 504 and 506/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners who are neighbours of the informant came with 'lathi' 'danda' and 'bricks' entered into her house and assaulted her brutally. She sustained injury on her right hand, when her husband and mother-in-law came then the petitioners also assaulted them



and they also snatched gold chain from her neck.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case due to land dispute. There is general and omnibus allegation against the petitioners. Petitioners have no criminal antecedent. Petitioner nos. 1 and 2 are women and petitioner no. 3 is old person aged about 72 years. Injury on the injured are simple in nature. It is further submitted that the petitioners had been given benefit of Section 41 (1) of the Cr.P.C. by the police. The cognizance has been taken against the petitioners under sections 448, 341, 323, 354A, 308, 504 and 506/34 of the Indian Penal Code. Petitioners undertake to co-operate in the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering 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/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria / Concerned Trial



Court in connection with Chhautham P.S. Case No. 192 of 2023,
subject to the conditions laid down in Section 438(2) of the
Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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