

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 35397 of 2024

Arising Out of PS. Case No.-777 Year-2023 Thana- AMARPUR District- Banka

1. Bhatku Yadav S/o Afori Yadav R/o vill - Bangbariya, P.S. - Fullidumar, Distt. - Banka
2. Sakunma Devi @ Sushani Devi @ Kushmi Devi W/o Bhatku Yadav R/o vill - Bangbariya, P.S. - Fullidumar, Distt. - Banka
3. Bimla Kumari @ Bimli Kumari D/o Bhatku Yadav R/o vill - Bangbariya, P.S. - Fullidumar, Distt. - Banka
4. Kavita Kumari D/o Bhatku Yadav R/o vill - Bangbariya, P.S. - Fullidumar, Distt. - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Pandey
For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-06-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Amarpur P.S. Case No. 777 of 2023 registered for the alleged offence under Sections 341, 323, 379, 354, 504, 34 of the Indian Penal Code.

03. As per prosecution case, petitioners abused and assaulted the informant with *lathi* and *danda* and snatched a silver chain from her neck. The petitioners also assaulted the children of the informant.

04. Learned counsel for the petitioners submits that



petitioners are innocent have been falsely implicated in this case. For the same incident, the petitioner no. 1 has lodged a case against the informant and others, which has been registered as Amarpur P.S. Case No. 795 of 2023 under Sections 341, 323, 354, 504, 506, 34 of the IPC. The petitioners and informant are agnates and next door neighbours and there is dispute of *Rasta* between them. The petitioners are all family members including unmarried daughters of petitioner no. 1 and 2. The injuries sustained by Ajay Kumar is stated to be simple. Learned counsel further submits that all the offences mentioned in the FIR are bailable except Sections 354 and 379 IPC but the allegations on this account are superficial and ornamental in nature. The petitioners has got no criminal antecedent.

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

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the case and counter case of the parties and further considering the non-serious nature of allegation against the petitioners, let the petitioners above named, in the even of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Court of Chief Judicial



Magistrate, Banka, in connection with Amarpur P.S. Case No. 777 of 2023 subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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