

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34673 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- KOTWALI District- Munger

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1. Devanand Deo SON OF Late Rajgir Prasad Yadav VILLAGE- AZAD CHOWK, BEKAPUR, PS- KOTWALI, DIST- MUNGER
 2. NIBHA KUMARI @ NISHA DEVI WIFE OF DEVANAND DEO VILLAGE- AZAD CHOWK, BEKAPUR, PS- KOTWALI, DIST- MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Adv.
For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-05-2024 Heard Mr. Rakesh Kumar, learned counsel for the petitioner and Mr. Kanhiya Kishor, learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Munger Kotwali Police Station Case No. 23 of 2024 registered on 15.01.2024 for the offences punishable under Sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code.

3. As per First Information Report lodged by the mother of petitioner no.1 is that on 14.01.2024 in the evening, her daughter was preparing meal, in the meanwhile, petitioner no.2 started abusing her saying that the land in question belongs



to her husband and she should vacate this house. It has further been alleged that petitioner no.2 poured water on the informant's daughter and when her daughter objected, she started assaulting her with rolling-pin (*Belan*). When the informant intervened to rescue her daughter, petitioner no.1, her elder son, abused her and also assaulted her with fists and slaps. Thereafter on the behest of petitioner no.2, petitioner no.1 assaulted the informant's daughter by means of iron rod due to which, she sustained injury on her nose and became unconscious.

4. Learned counsel for the petitioners submits that the informant is mother of petitioner no.1 and mother-in-law of petitioner no.2. There is a land dispute between the informant's daughter and the petitioners for which earlier a proceeding under Section 107 CrPC was initiated. He further submits that though the doctor has described the injury caused to the informant's daughter as grievous in nature but the injury caused is on the nose which is not a vital part of the body.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are closely related and the occurrence has taken place due to land dispute and the injury caused to the



informant’s daughter is not on the vital part of the body, I am inclined to grant the petitioners privilege of anticipatory bail.

6. Accordingly, let the petitioners, named above, in the event of their arrest or surrender before the Court below within six weeks from today, be released 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, Munger in connection with Munger Kotwali Police Station Case No. 23 of 2024, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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