

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36686 of 2024

Arising Out of PS. Case No.-246 Year-2023 Thana- NAUGACHIA District- Bhagalpur

1. Pinki Devi @ Sinki Devi Wife of Sonu Paswan Resident of Village- Tetari , P.S- Naugachia, Dist- Bhagalpur
2. Rina Devi @ Soni Devi Wife of Kunal @ Shekshpear Paswan Resident of Village- Tetari , P.S- Naugachia, Dist- Bhagalpur
3. Kanhaiya Kumar Paswan Son of Manoj Paswan Resident of Village- Tetari , P.S- Naugachia, Dist- Bhagalpur
4. Kunal @ Shekshpear Paswan Son of Manoj Paswan Resident of Village- Tetari , P.S- Naugachia, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 07-08-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 341, 323, 307, 379, 354, 506 and 34 of the Indian Penal Code.

3. The Court will not wait endlessly for the case diary which till date has not been received in terms of the order dated 25.06.2024, as such, the Court proposes to pass orders on merit.

4. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner nos.



1 and 2 are women and the informant alleges that accused persons including the petitioners came and on orders of Manoj, accused Kunal (petitioner No. 4) assaulted him by *lathi* causing injury near the eyes, thereafter, accused assaulted his wife and son who came to save him, it is next alleged that Sudama assaulted his wife by *lathi* causing injury on head and near the eye, further accused also assaulted Rambali with *lathi* causing injury on head and Radha and Rina snatched golden and silver chain of his daughter-in-law and wife.

5. Learned counsel for the petitioners submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that specific allegation of assault is against Kunal and as far as petitioner nos. 1 and 2 are concerned, the allegation against them is ornamental in nature of snatching golden and silver chain, further there is no specific allegation of assault against Kanhaiya (petitioner no. 3)

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Naugachia P.S. Case No. 246 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned Trial Court before accepting the bail bonds of petitioner no. 4 shall verify the injury report of the informant and in the event if it is found that informant received grievous injury, in that event, the present order shall not be given effect to with respect to petitioner no. 4.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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