

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36100 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- UDAKISHUNGANJ District- Madhepura

1. Nikky Devi W/O Sonu Mukhiya R/O Village- Bishhariya ward no. 04, P.S.- Udakishunganj, Dist.- Madhepura
2. Gauri Devi w/o Jalo Mukhiya R/O Village- Bishhariya ward no. 04, P.S.- Udakishunganj, Dist.- Madhepura
3. Jalo Mukhiya Son of Late Ramkishun Mukhiya R/O Village- Bishhariya ward no. 04, P.S.- Udakishunganj, Dist.- MadhepuraJ

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Surendra Mohan, Adv

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners apprehend their arrest in connection with Udakishunganj P.S.Case No. 30 of 2024 dated 29.01.2024, instituted for the offence punishable under Sections 341, 323, 324, 307, 354(B), 379, 504, 506/34 of the Indian Penal Code.

3. The case of prosecution , in short is that on the order of petitioner no. 3 Jalo Mukhiya, petitioner no. 1 assaulted the informant by means of Kachiya causing sever injury at the cheek of the informant and when the informant's Gotni came to save the informant, petitioner no. 3 assaulted her



with lathi on her left hand causing swelling and dragged her on the ground with intention to kill. The petitioner no. 2 is alleged to have snatched gold earring from the neck of the informant.

4. Learned counsel for the petitioners submits that the informant and petitioners are agnates and there is land dispute between the parties. There is specific allegation against the petitioner no. 1, who assaulted with Kachiya on the face of the informant but the injury report does not support the allegation of the said assault. It appears from the injury report that the informant sustained lacerated wound on right angle of mouth which is simple in nature caused by hard and blunt substance . It is also submitted that there is no allegation of assault against the petitioner no. 2. The petitioner nos. 1 and 2 are ladies and the petitioners have no criminal antecedents.

5. Learned A.P.P for the State has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of the learned counsel for the parties, in the event of arrest/ surrender of the petitioners within a period of six weeks from today, in connection with Udakishunganj P.S.Case No. 30 of 2024, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand)



each with two sureties of the like amount each to the satisfaction of the learned ACJM 1st Udakishunganj or appropriate Court Below, subject to condition as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Khatim Reza, J)

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