

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44356 of 2024

Arising Out of PS. Case No.-527 Year-2019 Thana- DHANARUA District- Patna

1. Rekha Devi Wife of Pintu Kumar Resident of Vilage- Chiraiyan Tand, P.S. - Dhanarua, District - Patna.
2. Manju Devi @ Ranju Devi Wife of Shankar Prasad @ Shiv Shankar Kumar @ Shankar Prasad Resident of Vilage- Chiraiyan Tand, P.S. - Dhanarua, District - Patna.
3. Devrani Devi @ Bedamiya Devi Wife of late Mehi Lal Prasad Resident of Vilage- Chiraiyan Tand, P.S. - Dhanarua, District - Patna.
4. Shankar Prasad @ Shiv Shankar Kumar @ Shankar Prasad @ Shankar Yadav Son of Late Mehi Lal Prasad Resident of Vilage- Chiraiyan Tand, P.S. - Dhanarua, District - Patna.
5. Anuj Prasad @ Anuj Kumar Son of Late Mehi Lal Prasad Resident of Vilage- Chiraiyan Tand, P.S. - Dhanarua, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Mohan Singh, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Dhanarua P.S. Case No.527 of 2019, registered on 18.12.2019 for the offences under Sections 323, 324, 325, 504, 506, 379, 307/34 of the Indian Penal Code.

3. As per prosecution case, in the background of previous enmity, the petitioners and co-accused persons



assaulted the informant and her daughter causing injuries to them.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. There is a general and omnibus allegation against the petitioners and both sides are co-villagers. No motive has been stated for the alleged occurrence and there is inordinate delay of five days in lodging the instant case for which there is no satisfactory explanation. From bare perusal of the F.I.R. it is apparent that there could be no application of Section 307 of IPC and section 379 has been added only to make the case serious. The petitioners are having antecedent of one case which was also lodged by relative of the present informant and the petitioners are on bail in the said case.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague nature of allegation against the petitioners and absence of injury reports and also considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a



period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Masaurhi, District - Patna/concerned court in connection with Dhanarua P.S. Case No. 527 of 2019, subject to the condition as 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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