

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41697 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- KHAIRA District- Jamui

1. Kajal Devi, Wife of Narsingh Tanti @ Narshing Kumar, Resident of Village- Markatta, P.S.- Jamui, District- Jamui
2. Narsing Tanti @ Narsingh Kumar, Son of Devnarayn Tanti, Resident of Village- Markatta, P.S.- Jamui, District- Jamui
3. Phulo Devi @ Phula Devi, Wife of Devnarayan Tanti, Resident of Village- Markatta, P.S.- Jamui, District- Jamui

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Binod Kumar No. 3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-07-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Khaira P.S. Case No. 09/2024 dated 07.01.2024 registered for the offences punishable under Sections 341, 342, 323, 307, 504 and 379 of the Indian Penal Code and Section 27 of the Arms Act.

3. Mr. Pankaj Kumar Sinha, learned counsel for the petitioners submits that the petitioners have fair and clean antecedent and among them, petitioner nos. 1 and 3 are women and in the present case only one person from the prosecution side i.e. informant's son, is said to have sustained injury but only one injury has been opined on the person of the injured by the Doctor, in fact the alleged occurrence took place as a result of free fight in between



them which resulted in injury to petitioner no. 1 and informant's son. Learned counsel further submits that a land dispute running in between them is said to be genesis of the occurrence.

4. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

5. Having considered the above submissions and mainly taking into account the petitioners' fair and clean antecedent and a land dispute being genesis of the occurrence, and also, the fact that, as per the above submission, only one person from the prosecution side has sustained only one injury in the alleged occurrence and from the petitioner's side, petitioner no. 1 has also sustained injury, in my opinion, in the said circumstances, the petitioners deserve to the privilege of anticipatory bail. Accordingly, let the petitioners named-above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Khaira P.S. Case No. 09 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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