

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47655 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- NAGARNAUSA District- Nalanda

1. SANJU DEVI W/O- PHEKU PASWAN VILLAGE- BADIHA, P.S.- NAGARNAUSA, DISTT.- NALANDA
2. DHANO DEVI W/O- ALAHA @ NARESH PASWAN VILLAGE- BADIHA, P.S.- NAGARNAUSA, DISTT.- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 50314 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- NAGARNAUSA District- Nalanda

Naresh Paswan @ Allaha Son of Ramashish Paswan R/O Vill- Badiha, P.S.- Nagarnausa, Dist.- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 47655 of 2024)

For the Petitioner/s : Mr.Satyanarayan Prasad, Adv.

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

(In CRIMINAL MISCELLANEOUS No. 50314 of 2024)

For the Petitioner/s : Mr.Satyanarayan Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 19-08-2024

1. Both the anticipatory bail petitions have arisen out of the same P.S. case, hence the prayer for bail made by the petitioners is being disposed of by a common order.

2. Heard the parties.

3. The petitioners apprehend their arrest in connection



with Nagarnausa P.S. Case No. 40/ 2024 dated 05.03.2024 registered for the offence(s) punishable under Section(s) 302, 120B read with section 34 of the Indian Penal Code.

4. Mr. Satya Narayan Prasad, learned counsel for the petitioners submits that there is no allegation of any overt act against these petitioners and the specific allegation of assault is against co-accused, Feku Paswan and the petitioners have been implicated in this case due to previous enmity as Nagarnausa P.S. case No. 73 of 2009 was lodged from the petitioners' side against the deceased. It is further submitted that petitioners of Cr. Misc. No. 47655 of 2024 are women and the petitioners have fair and clean antecedent.

5. Mr. Arun Kumar Pandey and Mr. Shantanu Kumar, learned APPs appearing for the State have opposed the bail prayer of the petitioners.

6. Considering the nature of allegation appearing against the petitioners from the F.I.R. as well as the submissions made above and also the fact that main allegation is against co-accused, Feku Paswan, and the petitioners have fair and clean antecedent and there was a litigation between the parties and Nagarnausa P.S. case No. 73 of 2009 was lodged from the petitioners' side against the deceased, in my opinion, it is a fit



case for grant of anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Nagarnausa P.S. Case No. 40/ 2024 on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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