

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47158 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- BIKRAM District- Patna

1. Urmila Devi, W/O Krishna Ram @ Krishna Prasad Resident Of Ganga Chak, Ps Bikram, Distt. - Patna
2. Rekha Devi, W/O Mannu Kumar @ Abhimanyu Kumar Resident Of Ganga Chak, Ps Bikram, Distt. - Patna
3. Guriya Devi, W/O Pintu Kumar Resident Of Ganga Chak, Ps Bikram, Distt. - Patna
4. Sarita Devi, W/O Vimlesh Kumar @ Bindlesh Kumar Resident Of Ganga Chak, Ps Bikram, Distt. - Patna
5. Pintu Kumar, S/O Krishna Ram @ Krishna Prasad Resident Of Ganga Chak, Ps Bikram, Distt. - Patna
6. Vimlesh Kumar @ Bindlesh Kumar, S/O Krishna Ram @ Krishna Prasad Resident Of Ganga Chak, Ps Bikram, Distt. - Patna
7. Mannu Kumar @ Abhimanyu Kumar, S/O Krishna Ram @ Krishna Prasad Resident Of Ganga Chak, Ps Bikram, Distt. - Patna
8. Krishna Ram @ Krishna Prasad, S/O Ram Chandra Ram Resident Of Ganga Chak, Ps Bikram, Distt. - Patna
9. Rocky Kumar, S/O Pintu Kumar Resident Of Ganga Chak, Ps Bikram, Distt. - Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ashok Kumar
For the Opposite Party/s :	Mr. Mithlesh Kumar Khare- A.P.P.
	Mr. Praveen Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 13-08-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail



application with respect to petitioner no.6, Vimlesh Kumar @ Bindlesh Kumar and petitioner no.7, Mannu Kumar @ Abhimanyu Kumar.

3. Permission is accorded.

4. Accordingly, instant petition is dismissed as withdrawn with respect to petitioner no.6, Vimlesh Kumar @ Bindlesh Kumar and petitioner no.7, Mannu Kumar @ Abhimanyu Kumar.

5. The other petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 326, 307 and 34 of the Indian Penal Code.

6. The learned counsel for the petitioners submits that the petitioner nos.1 to 5 and 8 have antecedent of two cases and petitioner no.9 has antecedent of one case. Further, petitioner nos.1 to 4 are women. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant alleges that Pintu Kumar assaulted on his head by *Danda* causing injury and thereafter, petitioner no.8 is alleged to have assaulted



on head of Satyam Kumar and Amrit Raj along with Vimlesh Kumar and Mannu Kumar causing injury on his head. Further, when Satyam fell on the ground, he was again assaulted by Pintu Kumar and his brother.

7. It is also submitted that as far as other petitioners are concerned, the allegation of assault against them is general and omnibus in nature. It is next submitted that from perusal of the injury report of Satyam and Amrit (Annexure-2 series), it would manifest that the injury suffered by them are simple in nature. It is also submitted that from the side of the petitioners Bikram P. S. Case No. 25 of 2024 was instituted in which petitioner no.1 to 4 had received injury along with Mannu Kumar on account of assault made from the side of the informant. It is further submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that on a trivial issue, the occurrence is alleged to have taken place as it is alleged that when informant along with others were going to the shop for purchasing articles when Pintu Kumar came in their way on which Pintu Kumar said that whether the road belongs to



their father which was objected and thereafter, the occurrence is alleged to have taken place. It is next submitted that injury suffered by the injured is simple in nature, which amply demonstrates that petitioners never had any intention of committing a serious occurrence and as far as allegation of Pintu being drunk is alleged that is ornamental and has been made only to give a serious colour to the case as the case has not been instituted under the Excise Act.

8. Learned A.P.P. opposes the anticipatory bail application.

9. 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 Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-Vith, Danapur, Patna in connection with Bikram P. S. Case No.24 of 2024, subject to the



conditions laid down under Section 438(2) of the Cr.P.C.

10. The application stands allowed.

(Satyavrat Verma, J)

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