

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47385 of 2024

Arising Out of PS. Case No.-68 Year-2022 Thana- KHODAWANDPUR District- Begusarai

1. Sonelal Das @ Soman Das Son of Ram Nandan Das Resident of Village- Matihani, Ward no. 19, Fafaut Panchayat, Police Station- Khodawandpur, District- Begusarai
2. Anita Devi Wife of Sonelal Das @ Soman Das Resident of Village- Matihani, Ward no. 19, Fafaut Panchayat, Police Station- Khodawandpur, District- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Kundan Kumar, Advocate
For the Opposite Party/s	:	Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-11-2024 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Khodawandpur P.S. Case No. 68 of 2022 for the offence under Sections 341, 323, 307, 324, 354(B), 504/34 of the Indian Penal Code lodged on 28.03.2022 by the informant, Mukesh Kumar Das.

3. As per the prosecution story, the informant alleged that while he was sitting at his door, the named accused came and Pintu Kumar Das gave garasa blow to the informant while Gobiya Devi hit him with iron rod. When the wife came to rescue, these petitioners assaulted her causing head injury. The reason has been assigned for flowing of the water on the street,



which led to the altercation.

4. Learned counsel for the petitioners submits that earlier final form was submitted against them but later cognizance was taken on 31.01.2024 which necessitated the filing of the anticipatory bail and after rejection by the learned Sessions Judge, Begusarai, the present petition. It is his further submission that they are agnates, having no antecedent and the injury simple is in nature. The last submission is that without accepting the allegation and/or the outcome of the present petition, in view of the fact that the informant side has alleged injuries, the petitioners on its own would like to contribute towards the medical assistance to Jyoti Devi of Rs.20,000/- through Demand Draft issued by the local State Bank of India Branch to be submitted before the concerned Trial Court to be handed over to Jyoti Devi after checking the credentials.

5. Learned APP opposes the prayer submitting that subsequently cognizance has been taken in the matter.

6. Taking into account the submissions put forwarded by the parties as also the fact that they do not have criminal antecedent, the injury has been found to be simple in nature, the final form was submitted in their favour but later cognizance has been taken, in that background, this Court is inclined to extend



them the privilege of anticipatory bail subject to payment of Rs.20,000/- as undertaken by the learned counsel for the petitioners to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned S.D.J.M., Manjhaul, District- Begusarai, in connection with Khodawandpur P.S. Case No. 68 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bonds by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which, the State shall be at liberty to take steps for



cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which, the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

Amandeep/-

U		T	
---	--	---	--

