

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49495 of 2024

Arising Out of PS. Case No.-13 Year-2024 Thana- SINDHUGAR District- Gaya

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1. SUMIT PRASAD @ SUMIT KUMAR DANGI S/O KRISHAN KUMAR DANGI R/O VILLAGE- AJNAWAN, P.S- SINDHUGARH, DISTT.- GAYA.
 2. SANTI DEVI @ LILA DEVI W/O LATE DASHRATH MAHTO R/O VILLAGE- AJNAWAN, P.S- SINDHUGARH, DISTT.- GAYA.
 3. SONAM KUMARI D/O LATE DASHRATH MAHTO R/O VILLAGE- AJNAWAN, P.S- SINDHUGARH, DISTT.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar
For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 21-08-2024 1. Learned Counsel for the petitioners informs that the petitioner no. 1, Sumit Prasad @ Sumit Kumar Dangi, has been arrested by the police during the pendency of this application and this application, so far as petitioner no. 1 is concerned, has become infructuous.
2. Accordingly, this application, so far as petitioner no. 1, is concerned, is dismissed as having become infructuous.
3. This application will now survive only for petitioner nos. 2 and 3.
4. Heard learned Counsel for the petitioner nos. 2 and 3 and learned Additional Public Prosecutor for the State.
5. This application, for grant of anticipatory bail, arises out



of Sindhugarh Police Station Case No. 13 of 2024, dated 24.03.2024, disclosing offences punishable under Sections 147/148/149/341/323/354/307 of the Indian Penal Code.

6. The prosecution case, as per the First Information Report, is that on 23.03.2024, while the informant was washing clothes near the hand-pump, all the accused persons, variously armed, came there and assaulted the informant. It has further been alleged that co-accused Kaushila Devi assaulted the informant by means of iron-rod, causing injury on her head, co-accused Sumit Prasad tried to outrage her modesty and all other accused persons assaulted her.
7. Learned Counsel for the petitioner nos. 2 and 3 submits that the petitioners are innocent and have not committed any offence in the manner alleged. They have been made accused due to ulterior motive. Both the parties are next door neighbours. There is no specific allegation against the petitioner nos. 2 and 3 and so far as the injuries sustained by the informant are concerned, the doctor has opined them simple in nature, caused by hard and blunt substance.



8. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are next door neighbour, the injuries sustained by the informant is simple in nature, there is no specific allegation against the petitioner nos. 2 and 3 and the petitioner nos. 2 and 3 are ladies, I am inclined to grant the petitioner nos. 2 and 3 privilege of anticipatory bail.
9. This application is, accordingly, allowed.
10. Let the petitioner nos. 2 and 3, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Chief Judicial Magistrate, Sherghati, at Gaya, in connection with Sindhugarh Police Station Case No. 13 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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