

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50276 of 2024

Arising Out of PS. Case No.-844 Year-2023 Thana- NATHNAGAR District- Bhagalpur

1. Sarswati Devi, W/o Pinku Yadav R/o Mohalla- Babu Tola, PS Nathnagar, Distt. - Bhagalpur
2. Chhoti Kumari D/o Pinku Yadav R/o Mohalla- Babu Tola, PS Nathnagar, Distt. - Bhagalpur
3. Ankit Raj S/o Pinku Yadav R/o Mohalla- Babu Tola, PS Nathnagar, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Advocate
For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 13-11-2024 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Nathnagar P.S. Case No. 844 of 2023 registered on 12.10.2023 for the offenses punishable under Sections 147, 148, 149, 341, 323, 333, 353, 379, 427, 504, 506 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution, the FIR has been lodged against three named and three unknown accused persons alleging therein that all the accused persons have assaulted the police personnel in the course of the visit to their house for



investigation about the husband of petitioner no.1. The accused person also alleged to have abused the police personal and tried to snatch the service revolver of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. The accusation is omnibus and general against all the accused persons. It is further submitted that petitioner no.1 is the housewife and wife of co-accused Pinku Yadav and petitioners no.2 and 3 are students and were gone to attend tuition at the time of the alleged occurrence. The antecedent of the petitioners is clean.

5. Learned APP for the State on the other hand opposes the prayer for bail and submits that from the bare perusal of the fardbeyan as well as the case diary, it appears that the petitioners along with others including the husband of petitioner no.1 had attacked the police personal who had visited the house of the petitioners for investigation in connection with a criminal case.

6. In this background, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for bail of the petitioners in connection with Nathnagar P.S. Case No. 844 of 2023, pending before the J.M. 1st Class, Bhagalpur is hereby



rejected. Interim protection granted to the petitioners vide order dated 24.07.2024 stands vacated.

7. However, if the petitioners, surrender before the Trial Court within four weeks from today and petitioners no.2 and 3 produce the certificate of their education as well as substantial proof showing that the petitioners were not present at the place of occurrence on the alleged date of occurrence, then the Trial Court is directed to pass order on their surrender-cum-bail application on the same day without being prejudiced that the anticipatory bail of the petitioners has been rejected by this Court.

(Dr. Anshuman, J)

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