

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52533 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- BISHUNPUR District- Darbhanga

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1. Shivjee Ray @ Shivjee Rai, S/O - Prikshan Ray, R/O Village- Basant, Ward No. 3, P.S- Bishanpur, Distt.- Darbhanga (Bihar).
 2. Bibha Devi @ Vibha Devi, D/O Shivjee Ray @ Shivjee Rai, R/O Village- Basant, Ward No. 3, P.S- Bishanpur, Distt.- Darbhanga (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 27-08-2024

1. Heard Mr. Vinay Kumar Mishra, learned counsel for the petitioners and Mr. Ganesh Prasad Singh, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bishanpur P.S. Case No. 20 of 2024 dated 14.03.2024 registered for the offences punishable under Sections 341, 323, 307, 504 and 506 read with Section 34 of the Indian Penal Code.

3. Learned counsel appearing for the petitioners submits that the petitioner No. 1 is 74 years old and against the petitioner No. 2, there is no serious allegation, in fact the petitioner No. 2 was badly assaulted by the informant and his



wife with sword for which she remained under treatment for five days and in this regard, her medical treatment reports have been filed with this petition as Annexure -4 series. It is further submitted that the informant Shankar Ray, who is said to be the sole injured, sustained simple injury and both the parties are close relatives and there is no criminal antecedent against the petitioners.

4. Learned APP for the State has opposed the prayer for bail of the petitioners.

5. Considering the seriousness of the allegation appearing against the petitioner No. 1 from the FIR who allegedly inflicted knife blow at the neck of the informant and the same gets corroboration from his injury report, in my opinion, the petitioner No. 1 does not deserve to the privilege of anticipatory bail. Accordingly, the prayer of petitioner No. 1 (Shivjee Ray @ Shivjee Rai) stands rejected.

6. So far as the prayer of petitioner No. 2 is concerned, as against her, there is no specific allegation and she is said to be an injured in the case lodged by her against the prosecution party and she remained under treatment for five days as per Annexure-4 series, considering this aspect, this Court is inclined to take a lenient approach towards her prayer.



Accordingly, let the petitioner No. 2 (Bibha Devi @ Vibha Devi), in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Bishanpur P.S. Case No. 20 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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