

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51748 of 2024

Arising Out of PS. Case No.-127 Year-2024 Thana- SAUR BAZAR District- Saharsa

1. Pramila Devi @ Prameel Devi, Wife of Late Chandeshwari Poddar
2. Mithlesh Poddar @ Mithilesh Podar, Son of Late Chandeshwari Poddar
3. Subodh Poddar @ Subodh Kumar @ Subogh Kumar, Son of Late Chandeshwari Poddar
4. Pramod Poddar @ Pramod Paudar Son of Late Chandeshwari Poddar
5. Deepak Poddar @ Deepak Kumar, Son of Late Chandeshwari Poddar
6. Kanchan Devi, Wife of Pramod Poddar @ Pramod Paudar

All are residents of village – Baijnathpur, Ward No.22, Police Camp- Baijnathpur, P.S.- Sour Bazar, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Saur Bazar P.S. Case No. 127 of 2024, registered for the alleged offences under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, the petitioners assaulted the informant and her son and took away Rs.50,000/- in cash and her earring worth Rs.25,000/-.



4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The present case is counterblast of Saur Bazar P.S. Case No.126 of 2024 which was lodged by the petitioner no.2- Mithilesh Poddar against the informant of this case and her family members. The informant side has been trying to forcibly construct the house on the *khatiyani* land of the petitioners and when the same was opposed, they assaulted the petitioners. The learned counsel further submits that moreover, the injury reports of the victims show only simple injuries of superficial nature. The injury of the informant is lacerated wound on occipital region of scalp size 1/2"x1/4"x1/4". Similarly, the injury of the son of the informant is lacerated wound on scalp size 1" x 1/2" x 1/2". The injuries of both the victims are stated to be simple. The petitioners are having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case between the parties and further considering the non-serious nature of injuries as disclosed from the injury reports and also considering the possibility of false



implication as well as clean antecedent, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight 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 Additional Chief Judicial Magistrate-II, Saharsa, in connection with Saur Bazar P.S. Case No. 127 of 2024, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

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