

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52347 of 2024

Arising Out of PS. Case No.-300 Year-2022 Thana- MAHISHI District- Saharsa

1. Ashok Roy S/O Kameshwar Roy
 2. Geeta Devi W/O Ashok Roy
 3. Shakti Kumar Roy @ Shakti Kumar S/O Ashok Roy
 4. Shiv Shankar Kumar Ray @ Shiv Shankar Roy S/O Ashok Roy
 5. Akshay Kumar Roy @ Akshay Kumar Ray @ Akshay Kumar S/O Ashok Roy
- All R/O Village- Thanwar, Ward No.-01, P.S- Mahishi (JALAI O.P.), Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-08-2024 Heard learned counsel for the petitioners as well as learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506, 354(A) and 34 of the IPC in connection with Mahishi P.S. Case No.300 of 2022.

3. The learned counsel for the petitioners submit that petitioners are persons with clean antecedent and petitioner no.1 is a senior citizen aged about 70 years and petitioner no.2 is women.

4. It is next submitted that informant alleges that



accused persons including the petitioners came variously armed and started abusing her and her husband, further Ashok and Parmanand assaulted her husband on head and neck by an iron rod causing injury, thereafter family members of Ashok also assaulted her husband while Parmanand torn her cloth and Geeta snatched her golden tops.

5. The learned counsel submits petitioners have been falsely implicated in the instant case. It is next submitted that petitioner and the informant are relates and they are having dispute relating to land for which Title Suit No.848 of 2022 has been filed before the District Court, Saharsa. It is further submitted that from the side of the petitioners also Mahishi P.S. Case No.290 of 2022 was instituted against the informant and his side. It is next submitted that even presuming what has been alleged is true without admitting then the injuries suffered by the injured is simple in nature as would manifest from Annexure-3 to the anticipatory bail application. It is also submitted that petitioners are not criminal.

6. The learned APP opposes the anticipatory bail application.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Saharsa in connection with Mahishi P.S. Case No.300 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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