

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52610 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- CHANAN District- Lakhisarai

1. Malti Devi @ Mala Devi W/O Ravindra Mistri R/O Bashua Chak, P.S- Chanan, Distt.- Lakhisarai.
2. Ravindra Mistri S/O Dhaneshwar Mistri R/O Bashua Chak, P.S- Chanan, Distt.- Lakhisarai.
3. Soni Devi D/O Ravindra Mistri R/O Bashua Chak, P.S- Chanan, Distt.- Lakhisarai.
4. Rani Kumari D/O Ravindra Mistri R/O Bashua Chak, P.S- Chanan, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Chanan P.S. Case No. 30 of 2024, F.I.R. dated 27.03.2024 for the offences punishable under Sections 341, 323, 308, 325, 354(B), 379, 337, 338, 504, 506 and 34 of the Indian Penal Code.

3. According to prosecution case, while the informant was getting work done by a mechanic in her house, the accused persons came and started abusing. When the informant



protested, accused Ravindra Mistry injured the informant by hitting him with a rod. Accused Neeraj Kumar also broke the bone of leg of the informant's husband by hitting him with a stick. Ravindra Mistry pulled her saree and Neeraj Kumar tore her blouse. Soni Devi and Rani Kumari assaulted the informant and her husband by hitting them with bricks and stones. Rani Kumari hit the informant's granddaughter on the head with a brick due to which she got injured. When the villagers arrived, all the accused ran away.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedent and are innocent and they have falsely been implicated in the present case. There is case and counter case. There is admitted land dispute between the parties. There is delay in lodging of the FIR without any cogent reason. The allegation against the petitioners are general and omnibus in nature.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case and considering that the petitioners have clean antecedent, let the petitioners above named, in the event of arrest or surrender before the court below within a period of



thirty days from the date of receipt of the order, 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 the learned Additional Chief Judicial Magistrate 1st, Lakhisarai in connection with Chanan P.S. Case No. 30 of 2024 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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