

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53931 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- SITAMARHI District- Nawada

1. SAROJ DEVI WIFE OF SANJAY SINGH @ LAL SINGH @ SANJAY KUMAR R/V- VILLAGE- BARAT, P.S.- SITAMARHI, DISTT.- NAWADA
2. SANJAY SINGH @ LAL SINGH @ SANJAY KUMAR SON OF LATE HARINANDAN SINGH R/V- VILLAGE- BARAT, P.S.- SITAMARHI, DISTT.- NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar
For the Opposite Party/s	:	Ms. Anita Kumari
For the Informant	:	Mr. Hanshraj

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 06-08-2024 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 341, 323, 324, 325, 307, 354 and 379 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioners have antecedent of one case and the informant alleges that on account of dispute, with his *agnates* relating to overflowing of water tank, an altercation took place, on which Gunjan assaulted his brother Dheeraj with *farsa* causing injury on head, thereafter Deepak assaulted him with *Khanti* causing



injury on head, it is next alleged that Harsh and Chhotu assaulted his son with *lathi* causing injury on head while petitioners snatched golden chain of informant and his wife.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case being family member of the named accused persons who are alleged to have assaulted. It is also submitted that there is no specific allegation of assaulting the injured by the petitioners, rather the allegation against them is ornamental in nature and petitioner no. 1 is a woman who is wife of petitioner no. 2.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant oppose the prayer for anticipatory bail of the petitioners, but then the learned counsel appearing on behalf of the informant is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that no specific allegation of assault is alleged against the petitioners, but then it is submitted that petitioner no. 2 has not approached this Court with clean hands, it is submitted that petitioner no. 2 has antecedent of two cases, but in the anticipatory bail application, at Para-3, it is pleaded that petitioners have antecedent of one case.

6. 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sitamarhi P.S. Case No. 31 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear the learned Trial Court before accepting the bail bonds of the petitioner no. 2 shall verify his criminal antecedent and in the event if it is found that petitioner no. 2 has antecedent of more than one case in that event, the present anticipatory bail order shall not be given effect to in favour of petitioner no. 2.

(Satyavrat Verma, J)

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