

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 55783 of 2024

Arising Out of PS. Case No.-20 Year-2023 Thana- PARASBIGHA District- Jehanabad

1. Rashmi Kumari @ Reshmi Kumari D/o- Ramesh Prasad @ Ramesh Kumar Singh Resident of Village- Kalupur, Ps- Parash Bigha Dist- Jehanabad
2. Harendra Kumar son of Ramesh Prasad @ Ramesh Kumar Singh Resident of Village- Kalupur, Ps- Parash Bigha Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-09-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seeks bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 302/34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioners are person with clean antecedent and petitioner no. 1 is a woman, aged about 19 years and the informant alleges that her husband is in police force at Punjab and is having dispute relating to land with his brother Ramesh, further whenever the informant intends to construct her house, the accused persons including the petitioners don't allow them to



construct, further her mother-in-law resides with her. It is next alleged that on 12.01.2023, her mother-in-law was sitting outside the house and was eating soil (*mitti*) when informant objected, on which the wife of Ramesh thought that she was casting aspersion on her in garb of objecting her mother-in-law, thereafter, the named accused persons started assaulting her, on which her son Desh Ratan came to save her when accused assaulted him and Harendra (petitioner no. 2) on phone was directing to assault them, further her son on account of assault died during the course of treatment on 14.01.2023.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that petitioners are own cousin sister and brother of Desh Ratan. It is next submitted that the petitioners have been implicated in order to coerce their father into submission. It is also submitted that from perusal of the allegation, as alleged in the FIR, it would manifest that no specific allegation of assault is alleged against the petitioner no. 1 and as far as petitioner no. 2 is concerned, he is alleged to have made a call and on phone was directing the accused persons to assault, it is submitted that the said allegation also have been made only to coerce his father Ramesh into



submission. It is next submitted that from the FIR itself, it is evident that petitioner no. 2 was not even present at the place of occurrence.

5. The learned APP for the State opposes the anticipatory bail application.

6. Considering the submissions and the fact that petitioner no. 1 is a young girl aged about 19 years and petitioner no. 2 was not present at the place of occurrence, 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 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 Judicial Magistrate, 1st Class, Jehanabad, in connection with Paras Bigha P.S. Case No. 20 of 2023 the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J.)

Sudhanshu/-

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