

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56386 of 2024

Arising Out of PS. Case No.-402 Year-2023 Thana- BELHAR District- Banka

1. Ranju Devi Wife Of Pramod Das Resident Of Village - Tibariya, P.S. - Belhar, District - Banka
2. Sree Kumari @ Priya Kumari Daughter Of Pramod Das Resident Of Village - Tibariya, P.S. - Belhar, District - Banka
3. Pramod Das Son Of Etwari Das Resident Of Village - Tibariya, P.S. - Belhar, District - Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Belhar P.S. Case No. 402 of 2023 registered on 17.09.2023 for the alleged offences under Section 341, 323, 308, 379, 504, 506 and 34 of the Indian Penal Code.

03. As per prosecution case, the petitioners assaulted the informant and her nephew with *tengari* and *lathi* causing injuries to them. The occurrence took place over some petty issue.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. From the F.I.R. it is clear that petitioner no. 1 is the sister-in-



law, petitioner no. 2 is niece and petitioner no. 3 is brother-in-law of the informant, respectively. Some altercation took place between the parties which resulted in a scuffle and the petitioner side lodged Belhar P.S. Case No. 403 of 2023 against the informant side for the same occurrence. Learned counsel further submits that there is no serious injuries to any of the victims and the injuries appear to be simple. The learned counsel further submits that while rejecting the prayer for bail the learned Sessions Judge has not discussed the nature of injuries. Two of the petitioners are ladies and all the petitioners are having clean antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioners.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the relationship of the parties and not so serious nature of injuries and further considering the possibility of false accusation in the light of counter version of the case, 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 bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Court of C.J.M., Banka in connection with Belhar P.S.



Case No. 402 of 2023, subject to the condition laid down under
Section 438(2) of the Code of Criminal Procedure and other
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)

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