

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60734 of 2024

Arising Out of PS. Case No.-116 Year-2021 Thana- JHANJHARPUR District- Madhubani

1. Dilip Kumar @ Badri Prasad Son of Late Laxmi Kant Prasad Village- Nagar Paishad Jhanjharpur Ps- Jhanjharpur Dist- Madhubani
2. Mamta Devi wife of Dilip Kumar @ Badri Prasad Village- Nagar Paishad Jhanjharpur Ps- Jhanjharpur Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat
For the Opposite Party/s : Ms. Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-10-2024 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, 341, 323, 354(B), 308, 379 and 504 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that on 20.04.2021 while he was at his house when all the named accused persons including the petitioners came variously armed and on orders of Narayan Prasad, accused Vikash assaulted the informant by an iron rod, thereafter, Niraj



came to save the informant, but he was assaulted by Dilip (petitioner no. 1) by *lathi* all over his body, thereafter son of the informant namely Nikhil came to save them, but he was assaulted by Aman by *lathi* all over his body, it is further alleged that when wife of the informant came to rescue him when Niraj held her hairs and dashed her on the ground, while Brajesh pulled her *saree* and Mamta assaulted her by kick and fist and snatched her golden chain and Narayan snatched Rs. 1,000/- and mobile phone of the informant.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that allegation of assault against the petitioners is general and omnibus in nature. It is next submitted that though Dilip is alleged to have assaulted Niraj by *lathi*, but then there is no injury report of Niraj and as far as Mamta is concerned, the allegation against her is general and omnibus in nature.

5. Learned A.P.P. for the State along with learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners.

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 Jhanjharpur P.S. Case No. 116 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Accordingly the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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