

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62039 of 2024

Arising Out of PS. Case No.-17 Year-2024 Thana- CHIHARA District- Jamui

1. GEETA DEVI W/O- MANOJ RAWAT Village- Mahesha Paththar Ps- Chihra Dist- Jamui
2. Nirmala Devi Wife of Bhagwan Rawat Village- Mahesha Paththar Ps- Chihra Dist- Jamui
3. Manoj Rawat son of Bhagwan Rawat Village- Mahesha Paththar Ps- Chihra Dist- Jamui
4. Samir Kumar @ Guddu Kumar son of Manoj Rawat Village- Mahesha Paththar Ps- Chihra Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar
For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-09-2024 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 448, 341, 323, 379, 504, 506, 354, 307 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner No. 1 and 2 are women and the informant alleges that accused person including the petitioners entered the house of informant and Samir dashed her on the ground and assaulted her, when her



son, Anup, came to save her, Geeta assaulted him by an iron rod causing injury, further Samir took chain of her daughter while Manoj and Nirmala were carrying *lathi* and *hasua* and her son was brought to Chakai hospital for treatment.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case. It is next submitted that from perusal of the allegation as alleged in the FIR, no specific allegation is alleged against Manoj and Nirmala of assault rather they have been implicated in the instant case with an allegation that there were standing with *lathi* and *hasua*. It is also submitted that though Samir is alleged to have assaulted the informant but then allegation is of dashing her on the ground. It is next submitted that Geeta is alleged to have assaulted the son of the informant by an iron rod but then the opinion with regard to injury of Anup and informant is reserved.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that Samir and Geeta are alleged to have assaulted Anup and informant and the opinion with regard to their injury is reserved which amply demonstrates that they did not suffer simple injury.

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. 20,000/- (Rupees Twenty 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 Chihra P.S. Case No. 17 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned trial court before accepting the bail bonds of Geeta Devi (Petitioner No. 1) and Samir Kumar (Petitioner No. 4) shall verify the injury of the informant and Anup and in the event if it is found that they have suffered grievous injury in that event the present anticipatory bail order shall not be given effect to with respect to Geeta and Samir, but if the informant and Anup have suffered simple injury in that event their bail bonds shall be accepted forthwith.

(Satyavrat Verma, J)

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