

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62872 of 2023

Arising Out of PS. Case No.-97 Year-2023 Thana- CHAINPUR District- Kaimur (Bhabua)

POTAN NONIA S/O LATE NATHUNI NONIA R/O VILLAGE-
CHAINPUR, NONIA TOLA, PS. CHAINPUR, DIST. KAIMUR AT
BHABUA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 29-02-2024 1. Heard learned Counsel for the petitioner and learned
APP for the State.
2. This application, for grant of anticipatory bail, arises
out of Chainpur PS case no. 97 of 2023, disclosing offences
punishable under Sections 341, 323, 307, 324, 379, 504/34 of the
Indian Penal Code.
3. The prosecution story, as per the First Information
report, is that petitioner has assaulted the informant by means of
iron crutches on her head, when the informant along with other
family members was constructing house on her land.
4. Learned Counsel for the petitioner submits that both
parties are closely related and the husband of informant is own
brother of the petitioner. He further submits that a counter case has
also been lodged by petitioner's side against the informant and



others bearing Chainpur PS case no. 249 of 2023. He also submits that injury caused to the informant is simple in nature.

5. Learned counsel for the State does not dispute the submission made by the learned counsel for the petitioner.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that both parties are closely related, there is case and counter case between them and injury caused to the informant is simple in nature, I am inclined to grant the privilege of anticipatory bail to the petitioner.

7. This application is, accordingly, allowed.

8. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhabua (Kaimur) in connection with Chainpur PS case no. 97 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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