

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66411 of 2024

Arising Out of PS. Case No.-84 Year-2024 Thana- VIDYAPATINAGAR District- Samastipur

1. Baby Devi W/o Prabhat Singh Resident of Village- Simari, Ward no 03, PS- Vidyapatinagar, District- Samastipur
2. Prabhat Kumar Singh @ Prabhat Singh S/o Late Yogendra Singh Resident of Village- Simari, Ward no 03, PS- Vidyapatinagar, District- Samastipur
3. Bittu @ Niraj @ Niraj Kumar Singh S/o Prabhat Kumar Singh Resident of Village- Simari, Ward no 03, PS- Vidyapatinagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Roy, Advocate
For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are apprehending their arrest in Vidyapatinagar P.S. case No. 84 of 2024 registered under Sections 341, 323, 324, 325, 307, 379, 354, 504, 506/34 of the Indian Penal Code.

3. The prosecution allegation, in short, is that on trivial issue regarding washing of cattle, the accused persons including the petitioners came and co-accused Golu assaulted the informant on his head due to which he sustained injury. It is further alleged that petitioner No. 2 also assaulted the informant



and petitioner Nos. 1 and 3 assaulted the husband of the informant due to which they sustained injuries.

4. It has been submitted on behalf of the petitioners that the petitioners are innocent and have falsely been implicated in this case due to previous enmity between the parties. The petitioners have got no criminal antecedent. There is a case and counter case between the parties. Learned counsel for the petitioners submits that a free fight took place in which both parties sustained injuries. Learned counsel for the petitioners submits that no offence as alleged has taken place and Section 379 I.P.C. has been added in this case only to make the allegation serious in nature. Petitioner No. 1 is lady.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned APP submits that specific allegation of assault is alleged against the petitioners and considering the nature of allegation, they do not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances and the fact petitioner No. 1 is a lady, in the event of arrest/surrender before the learned court below within a period of six weeks from today, petitioner No. 1 be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten



thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Vidyapatinagar P.S. case No. 84 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. So far as petitioner Nos. 2 and 3 are concerned, considering the nature of allegation and gravity of offence, this Court is not inclined to grant anticipatory bail to them.

8. The prayer made on behalf of petitioner Nos. 2 and 3 for grant of anticipatory bail stands rejected.

(Rudra Prakash Mishra, J)

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