

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.67680 of 2024**

Arising Out of PS. Case No.-104 Year-2024 Thana- PUNAURA District- Sitamarhi

1. Hema Devi Wife of Dilip Baitha
2. Amrita Devi Wife of Sudhir Baitha
3. Anita Devi Wife of Rajesh Baitha
4. Lalan Kumar @ Lalan Kumar Baitha Son of Dilip Baitha.  
All Resident of Village - Birta Tola, Punaura, Ward No. 06, P.S.- Punaura,  
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate  
For the Opposite Party/s : Mr.Pranav Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      03-10-2024                      Heard Mr.Pushpendra Kumar Singh, learned counsel  
for the petitioners and Mr.Pranav Kumar, learned Additional  
Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in  
connection with Punaura P.S.Case No.104 of 2024, FIR dated  
07.05.2024 registered for the offences punishable under  
Sections 341, 323, 324, 307, 354(B), 379, 504, 506, 34 of the  
Indian Penal Code.

3. Allegation against the petitioners is that they  
assaulted the wife of the informant with malafide intention and  
thereafter petitioners and other co-accused persons assaulted the



informant over his head by Farsha with an intention to murder the informant. There is specific allegation against the petitioners like disrobing Sabita Devi and there is an allegation of snatching of golden Jitiya and Mangalsutra against the accused Hema Devi.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Although petitioners are named in the FIR but from a bare perusal of the FIR it appears that there is specific allegation of assault attributed against co-accused person, namely, Sudhir Baitha and there is no specific allegation of any assault or overt-act attributed against the petitioners rather there is general and omnibus allegation against all the petitioners. Further submits that the present case is counter blast of Punaure P.S. Case No.103 of 2024 filed by the side of the petitioners against family members of informant.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent and there is no specific allegation of any assault or overt-act attributed against the petitioners, let the



petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand)each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Punaura P.S.Case No.104 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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