

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67902 of 2024

Arising Out of PS. Case No.-54 Year-2024 Thana- CHANDRADIP District- Jamui

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1. Raja Ram Pandey S/o Mannu Pandey R/o vill - Dihri, P.S. - Chandradip, Distt. - Jamui
 2. Somnath Pandey S/o Mannu Pandey R/o vill - Dihri, P.S. - Chandradip, Distt. - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-10-2024 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Chandradip P.S. Case No. 54 of 2024 for the offence under Sections 341, 323, 354, 324, 325, 379, 307, 504/34 of the I.P.C. lodged on 22.03.2024 by the informant, Chanchla Devi.

3. As per the prosecution story, the informant alleged that as she along with her husband was returning from the market, the accused persons firstly abused and then called the sons who assaulted them in the process, the husband sustained injuries on the head as also a broken hand. Further, some of the accused persons also outraged her modesty. Accordingly, the



F.I.R.

4. Learned counsel for the petitioners submits that on bare perusal of the F.I.R. would show that each and every family members have been implicated and omnibus allegation has been made. Further, though the injury on the head has been found to be simple in nature, the hand injury has been opined as grievous further, none of the two petitioners have criminal antecedent. Further, the submission is that without accepting the allegation, and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner(s) on its own would like to contribute towards the medical assistance of Rs. 10,000/- through Demand Draft to the informant.

5. Learned APP opposes the prayer for bail and submits that the hand injury has been found to be grievous in nature.

6. Though the injuries are there, one of which is found to be grievous, omnibus allegation is against all the accused persons, these two petitioners who are sons of Mannu Pandey having no criminal antecedents, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs. 10,000/- to the informant through Demand Draft issued by the local State Bank of India branch to be submitted before the



‘NAZARAT’ of concerned Court to be handed over to the informant after checking the credentials.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Jamui, in connection with Chandradip P.S. Case No. 54 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioners shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ankit Kumar/-

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