

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74801 of 2024

Arising Out of PS. Case No.-367 Year-2022 Thana- LAURIA District- West Champaran

1. Sita Devi D/O-Mohan Ram Resident of Village-Dumra, Post- Mahia, PS- Lauria, District -West Champaran
2. Sunita Devi Wife of Mohan Ram Resident of Village-Dumra, Post- Mahia, PS- Lauria, District -West Champaran
3. Mohan Ram Son of Sudama Ram Resident of Village-Dumra, Post- Mahia, PS- Lauria, District -West Champaran
4. Mira Kumari D/O- Mohan Ram Resident of Village-Dumra, Post- Mahia, PS- Lauria, District -West Champaran
5. Dilip Ram Son of Mohan Ram Resident of Village-Dumra, Post- Mahia, PS- Lauria, District -West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The State Of Bihar Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Namrata Mishra, Advocate
		Ms.Archana Jha
For the Opposite Party/s	:	Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 23-10-2024
1. Learned counsel for the petitioners submits that during pendency of this application the petitioner no. -3 / Mohan Ram has been arrested. As such, she seeks permission to withdraw this application with respect to the petitioner no. 3/ Mohan Ram.

2. Permission is accorded.

3. The application is dismissed as withdrawn with respect to the petitioner no. 3.

4. Heard the parties.



5. The remaining petitioners apprehend their arrest in connection Lauria P.S. Case No. 367 / 2022 dated 02.12.2022 registered under Sections 307, 323, 324, 312, 313, 379, 506 and 509 / 34 of the I.P.C.

6. As per the First Information Report on 20.07.2022 while the informant was sitting at his door in the morning his neighbour petitioner nos. 1 & 2 arrived at his door and started abusing him due to quarrel between children of the parties on the previous day. When the daughter-in-law of the informant protested, the other accused persons namely, Mohan Ram and Dilip Ram arrived with “lathi” in their hands and started abusing and assaulting the informant. It has further been alleged that Sita Devi, Sunita Devi and Mira Devi i.e. petitioner nos. 1, 2 & 4 also assaulted the informant’s daughter-in-law Guria Devi and Chanda Devi with “lathi”.

7. Learned counsel for the petitioners submits that both the parties are close door neighbour and due to quarrel between children a false complaint- cum- F.I.R. has been lodged against the petitioners. It is next submitted that the occurrence has taken place on 20.07.2022 but the complaint has been lodged after five months on 02.12.2022 which has been converted into F.I.R. under Section 156(3) Cr.P.C. The injury caused to the victims



are not serious in nature as would be evident from the complaint
-cum- F.I.R.

8. Regard being had to the submission made by the parties, taking into consideration the fact that there is inordinate delay in lodging the F.I.R. and the petitioner nos. 1, 2 & 4 are lady and no serious injury has been caused to the victims, as such, I am inclined to grant anticipatory bail to the petitioner nos. 1, 2, 4 & 5.

9. Let the petitioner nos. 1, 2, 4 & 5, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M.-1, Bettiah, West Champaran in connection with Lauria P.S. Case No. 367 of 2022 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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