

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80965 of 2024

Arising Out of PS. Case No.-361 Year-2024 Thana- AMARPUR District- Banka

1. Sunita Devi W/o- Subodh Yadav Village- Baja, Police station- Amarpur, District-Banka
2. Jitani Devi W/o- Bilash Yadav Village- Baja, Police station- Amarpur, District-Banka
3. Dilip Yadav @ Dilip Kumar S/o- Bilash Yadav Village- Baja, Police station- Amarpur, District-Banka
4. Subodh Yadav S/o- Bilash Yadav Village- Baja, Police station- Amarpur, District-Banka
5. Saurav Yadav @ Saurav Kumar S/o- Bilash Yadav Village- Baja, Police station- Amarpur, District-Banka
6. Sabita Devi W/o- Late Jamun Yadav Village- Baja, Police station- Amarpur, District-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Amarpur P.S. Case No. 361 of 2024 dated 08.06.2024, instituted
for the offence punishable under Sections 341, 323, 308, 354,
325, 379, 504, 506/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on
07.06.2024, there was quarrel between the son of informant



namely, Chhotu Kumar and daughter of Subodh Kumar namely, Lichi Kumari. When the informant Rahul Yadav intervened in the matter, then petitioners started abusing him. When the informant protested, then petitioner no. 1 (Sunita Devi) assaulted with lathi and danda on the head of the informant. When informant's wife namely, Priyanka Devi and mother namely, Anita Devi intervened to rescue, then they too were assaulted by the petitioners by sickle and lathi.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that there is a case and counter case between the parties. Petitioner no. 2 namely, Jitani Devi has lodged Amarpur P.S. Case No. 363 of 2024 punishable under Sections 341, 323, 308, 354, 325, 379, 504, 506/34 of the Indian Penal Code against informant and others. It is further submitted that injury sustained by Rahul Yadav (informant) is simple in nature and the opinion with regard to injury of Anita Devi (mother of informant) and Priyanka Devi (wife of informant) is reserved till report comes from S.H. Banka. Lastly, it has been submitted that the petitioner nos. 1, 4 and 6 have no criminal antecedents whereas petitioner nos. 2, 3 and 5 have one criminal case against them.



5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Amarpur P.S. Case No. 361 of 2024, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka / Court concerned, Banka, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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