

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84990 of 2023

Arising Out of PS. Case No.-700 Year-2023 Thana- SASARAM NAGAR District- Rohtas

1. Manju Devi Wife of Virendra Prasad Singh, R/o Mohalla - Nauranganj (Pratapganj), P.S. - Sasaram, Distt. - Rohtas
2. Vikash Kumar Son of Virendra Singh R/o Mohalla - Nauranganj (Pratapganj), P.S. - Sasaram, Distt. - Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Singh, Advocate
For the State	:	Mr. Brajendra Nath Pandey, APP
For the Informant	:	Mr. Rajani Kant Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 21-03-2024 Heard learned counsel for the petitioners and learned counsel for the informant as well as learned A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Sasaram (Town) P.S. Case No. 700 of 2023, registered for the alleged offence under Sections 341, 323, 326, 307, 324, 504/34 of the Indian Penal Code..

03. As per prosecution case, the petitioners and co-accused assaulted the informant on a dispute over drainage of sewer water. The allegation against the petitioner no. 1 is that she gave knife blow to the informant, causing severance of ring finger of his left hand. The petitioner no. 2 hit the informant with brick on his head, causing its fracture. The petitioners and co-accused



further assaulted the informant by brick and tried to kill him.

04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. From the FIR, it is clear that there is dispute between the parties over drainage of sewer water. There is counter version of the said occurrence and petitioner no. 1 has filed Sasaram (Town) P.S. Case No. 701 of 2023 under Sections 341, 323, 379, 354(B), 504/34 of IPC against the informant and others. Learned counsel further submits that there is no injury of any sharp weapon and all the injuries are stated to be caused by hard and blunt substance, for which, there is no allegation against the petitioners, as the allegation is quite specific against petitioner no. 1 that she gave knife blow to the informant, causing severance of ring finger of his left hand. Learned counsel further submits that though one of the injuries is stated to be grievous but it is fracture of left hand and left ring finger. Other injuries are quite simple like abrasion, swelling and tenderness. The petitioner no. 1 is lady and petitioner no. 2 is her son, who is aged about 19 years.

05. Learned counsel for the informant as well as learned A.P.P. for the State opposes the prayer for anticipatory bail. Learned counsel for the informant submits that the petitioner gave knife blow and caused cutting of the finger of the informant.

06. Having regard to the facts and circumstances and



submission made on behalf of the parties and considering the case and counter case between the parties in the background of a dispute over drainage of sewer water and further considering the fact that petitioner no. 1 is lady and petitioner no.2 is a boy just attaining the age of majority, let the petitioners above named, in the even of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sasaram, Rohtas in connection with Sasaram (Town) P.S. Case No. 700 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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