

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86076 of 2024

Arising Out of PS. Case No.-155 Year-2024 Thana- DULHIN BAZAR District- Patna

1. Vimal Kumar S/O Jagdev Yadav Resident of Village Katariyapar (Kataiyapar), P.S.- Dulhin Bazar, District- Patna.
2. Manraj Kumar Son of Jagdev Yadav Resident of Village Katariyapar (Kataiyapar), P.S.- Dulhin Bazar, District- Patna.
3. Dheeraj Kumar @ Dhanraj Kumar @ Dharaj Kumar Son of Jagdev Yadav Resident of Village Katariyapar (Kataiyapar), P.S.- Dulhin Bazar, District- Patna.
4. Reshmi Devi Wife of Vimal Kumar Resident of Village Katariyapar (Kataiyapar), P.S.- Dulhin Bazar, District- Patna.
5. Tilriya Devi @ Tilari Devi Wife of Jagdev Yadav Resident of Village Katariyapar (Kataiyapar), P.S.- Dulhin Bazar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha
For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-12-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 379, 504, 506 of the Indian Penal Code.

3. As per the prosecution case, all the FIR named accused persons including this petitioners brutally assaulted the informant and his family members, as a result of which they



sustained injuries. It is further alleged that petitioners no.4 and 5 snatched mangalsutra and ear ring from Puja Devi.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is case and counter case between the parties. He further submits that there is no specific overt act against the petitioners. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the fact that the petitioners no. 4 and 5 are female, let the above named petitioners no.4 and 5, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Dulhin Bazar P.S. Case No. 155 of 2024, subject to the condition as laid down under Section 438



(2) of the Cr.P.C.

7. Considering the facts and circumstances of case and the fact that two persons have sustained grievous injury, I am not inclined to enlarge petitioners no.1, 2 and 3 on anticipatory bail. The prayer for anticipatory bail of the petitioners no.1, 2 and 3 is hereby rejected.

8. However, if the petitioners no. 1, 2 and 3 surrender before the learned Court below within six weeks from today and seek regular bail then the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order, considering the fact that there is case and counter case between the parties and petitioners no. 1, 2 and 3 have no criminal antecedent.

9. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

anand/-

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