

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12532 of 2024

Arising Out of PS. Case No.-300 Year-2023 Thana- PARBATTa District- Khagaria

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1. LUKHO DEVI W/O LATE JAMEDAR MANDAL RESIDENT OF VILL. - NAYAGAON (GORHIYASI), P.S.- PARBATTa, DIST.- KHAGARIA (BIHAR)
 2. PRAMOD MANDAL S/O LATE UCHIT MANDAL ALL RESIDENT OF VILLAGE- NAYAGAON, GORHIYASI, P.S. PARBATTa, DISTRICT- KHAGARIA (BIHAR)
 3. DEERAJ KUMAR @ TINA JAMEDAR MANDAL ALL RESIDENT OF VILLAGE- NAYAGAON, GORHIYASI, P.S. PARBATTa, DISTRICT- KHAGARIA (BIHAR)
 4. NIRAJ KUMAR JAMEDAR MANDAL ALL RESIDENT OF VILLAGE- NAYAGAON, GORHIYASI, P.S. PARBATTa, DISTRICT- KHAGARIA (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh
For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 14-03-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Parbatta Police Station Case No. 300 of 2023, dated 02.07.2023, disclosing offences under Sections 341/323/354/379/307/504/506/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the petitioner no. 3 and 4 allegedly assaulted the



husband and son of the informant by means of iron rod causing head injury to them. It has further been alleged that the petitioner no. 2 pulled the informant on the ground by her hair. There is no specific allegation against the petitioner no. 1.

4. Learned Counsel for the petitioners submits that both the parties are co-villagers. A counter-case has also been lodged by the side of the petitioners, bearing Parbatta Police Station Case No.301 of 2023, which is prior in time to the First Information Report lodged by the informant. The petitioner no. 1 is a lady aged about 50 years. No injury report has been brought on record by the prosecution before learned Additional Sessions Judge.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are co-villagers, case and counter case is also there and prosecution has not brought on record the injury report of the victim, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four



weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Khagaria, in connection with Parbatta Police Station Case No. 300 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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