

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3158 of 2024

Arising Out of PS. Case No.-1196 Year-2023 Thana- NAWADA District- Nawada

1. Bablu Kumar @ Amit Kumar Son Of Late Ganauri Singh Resident Of Village - Navin Nagar, P.S. - Nawada, District - Nawada
2. Sanjay Kumar Son Of Late Ganauri Singh Resident Of Village - Navin Nagar, P.S. - Nawada, District - Nawada
3. Rakhi Devi @ Rakhi Kumari Wife Of Krishna Kumar Resident Of Village - Navin Nagar, P.S. - Nawada, District - Nawada
4. Priti Kumari Wife Of Bablu Kumar @ Amit Kumar Resident Of Village - Navin Nagar, P.S. - Nawada, District - Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bandana Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioners and
learned A.P.P. For the State.

2. The petitioners apprehended arrest in connection with Nawada Town P.S. Case No. 1196 of 2023 dated 28.07.2023 instituted for the offence punishable under Sections 341, 323, 324, 325, 504, 506, 307/34 of the Indian Penal Code.

3. The prosecution case, in short, is that the way was blocked due to motor-cycles parked in front of the house of Bablu Kumar, petitioner no.1. When the informant told him to remove the motor-cycle from the way, Bablu Kumar started



quarreling with him. In the meantime, brother of Bablu Kumar namely Sanjay Kumar and Rakhi Devi wife of Krishna Kumar and wife of Bablu Kumar came out from the house with knife and started assaulting him. Bablu Kumar assaulted informant with lathi on his head and Sanjay Kumar and Rakhi Devi attacked the informant with knife.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have been falsely implicated in this case. It is submitted that informant and the petitioners are co-villagers. It is submitted that allegation of assault is on 26.07.2023 at 9:00 pm whereas the injury report which is Annexed as P-2 shows that the injured namely Saurav Kumar Rawat was examined on 27.07.2023 at 9:54 pm at Sadar Hospital, Nawada, wherein, the doctors found that injuries are simple in nature and was caused within six hours. Learned counsel for the petitioners submits that the allegation in the F.I.R is falsified by injury report. It is also submitted that informant has not sustained any grievous injury rather injuries are simple in nature. It is also submitted that the informant and the petitioners are neighbour and petitioner no. 1 and the informant took the grocery from the shop of petitioner no. 1 and when the petitioner no. 1 asked to pay the due amount of



grocery, the informant implicated the petitioner no. 1 and family members in this case. It is also submitted that petitioners have no criminal antecedent.

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

8. 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 petitioners in connection with Nawada Town P.S. Case No. 1196 of 2023 dated 28.07.2023, 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, Nawada. Subject to the condition as laid down under Section 482(2) of the Cr.P.C.

(Khatim Reza, J)

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