

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6647 of 2025

Arising Out of PS. Case No.-218 Year-2024 Thana- KAUWAKOL District- Nawada

1. Samuntri Devi @ Indri Devi @ Samundri Devi W/O Manoj Chauhan R/O village - Pali, PS - Kauakol, District - Nawada
2. Sangita Devi W/O Kapildev Chauhan @ Kapil Chauhan R/O village - Pali, PS - Kauakol, District - Nawada.
3. Manoj Chauhan S/O Kapildev Chauhan @ Kapil Chauhan R/O village - Pali, PS - Kauakol, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Prem Ranjan Kumar, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-03-2025 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 29.06.2024 at about 6 PM, these petitioners were abusing informant on account of dispute for carrying soil on tractor through land of these petitioners. On being objected, Petitioner No. 3 assaulted on head of informant with axe and when her husband came to rescue her, he was also assaulted by means of Dabiya and axe by Petitioner Nos. 2 and 3. Further allegation is that Petitioner



No. 3 also assaulted informant by means of iron rod.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are innocent and have committed no offence. As a matter of fact, on account of petty dispute, *maar-peeet* took place between the parties in which both sides sustained injuries. There is case and counter-case between the parties. The present F.I.R. has been lodged after inordinate delay of 7 days which is suggestive of the fact that the same has been lodged with much deliberation and afterthought. It is further submitted that case lodged by the petitioners' side is earlier in point of time. As per F.I.R., all the accused persons assaulted informant and her husband but doctor has found only one injury on person of injured which itself falsifies the entire prosecution case.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, case and counter-case between the parties, delay in lodging of the F.I.R. and injuries sustained by the injured, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within



a period of eight weeks from today, let the above named petitioners be enlarged 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 Chief Judicial Magistrate, Nawada in connection with Kauakol P.S. Case No. 218 of 2024, subject to condition as laid down under Section 482 of the B.N.S.S..

(Prabhat Kumar Singh, J)

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