

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6904 of 2025

Arising Out of PS. Case No.-300 Year-2024 Thana- SIKARPUR District- West Champaran

1. Timal Das Son of Late Langatu Daas @ Late Langatu Das Village- Roaari Ps- Shikarpur Dist- West Champaran
2. Lalita Devi W/o- Timal Das Village- Roaari Ps- Shikarpur Dist- West Champaran
3. Santola Devi W/o- Badka Das Village- Roaari Ps- Shikarpur Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 9223 of 2025

Arising Out of PS. Case No.-300 Year-2024 Thana- SIKARPUR District- West Champaran

1. Gaurishankar Das Son of Timal Das Resident of Village - Roaari, P.S. - Shikarpur, District - West Champaran
2. Sujay Kumar @ Sujay Das @ Sujeet Das @ Sujeet Kumar Son of Timal Das Resident of Village - Roaari, P.S. - Shikarpur, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 6904 of 2025)

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Yogendra Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 9223 of 2025)

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 21-03-2025 1. Learned Counsel for the petitioners informs that the petitioner no. 1 of Criminal Misc. No. 6904 of 2025, Timal Das, has been arrested by the police during the



pendency of this application and this application, so far as petitioner no. 1 is concerned, has become infructuous.

2. Accordingly, Criminal Misc. No. 6904 of 2025, so far as petitioner no. 1, is concerned, is dismissed as having become infructuous.
3. Criminal Misc. No. 6904 of 2025 will now survive only for petitioner nos. 2 and 3.
4. Since both these applications arise out of same case, with the consent of the parties, both these applications were heard together.
5. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
6. These applications, for grant of anticipatory bail, arise out of Shikarpur Police Station Case No. 300 of 2024, dated 05.04.2024, disclosing offences punishable under Sections 341/323/324/307/379/34 of the Indian Penal Code.
7. The prosecution case, as per the First Information Report, is that on 05.04.2024, while the informant was coming back after purchasing medicines and no sooner than he reached near the house of Shiv Shankar Das, where co-accused persons, Sujay Kumar and Nakhhed Kumar



arrived. It has been stated that the petitioner Sujay Kumar assaulted the informant on his left thigh by means of spear and co-accused Nakchhed Kumar assaulted the informant on his right hand and thumb by means of knife. Upon alarm being raised by the informant, the family members arrived. Then, co-accused Timal Das and petitioners, namely, Gauri Shankar Das, Lalita Devi and Santola Devi came with lathi and sticks and started assaulting the informant and others. It has further been alleged that co-accused Timal Das assaulted Rajesh Das on his back by means of garasi, petitioner Sujay Kumar assaulted him by means of spear on his waist and when the younger brother Ganesh Das came in his rescue, co-accused Timal Das assault him by spear on his right hand.

8. Learned Counsel for the petitioners submits that the specific allegation of assault is not against the petitioners Lalita Devi and Santola Devi. The occurrence has taken place due to previous dispute between the parties and both the parties are co-villagers. Referring to the injury reports, learned Counsel submits that injuries caused to all the victims are simple in nature. A counter case has also been lodged by the side of the petitioners, bearing,



Shikarpur Police Station Case No. 301 of 2024, in which co-accused Timal Das and Nakchhed Kumar have sustained injuries.

9. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is no specific allegation of assault against petitioners Lalita Devi and Santola Devi, the injuries caused to all the victims are simple in nature, case and counter case is there and both the parties are co-villagers, having previous dispute, I am inclined to grant the petitioners, namely, Lalita Devi, Santola Devi, Gaurishankar Das and Sujay Kumar, privilege of anticipatory bail.
10. These applications are, accordingly, allowed.
11. Let the petitioners, namely, Lalita Devi, Santola Devi, Gaurishankar Das and Sujay Kumar, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 6th Additional Chief Judicial Magistrate, West Champaran, at Bettiah, in connection with Shikarpur Police Station Case No. 300 of 2024,



subject to the condition laid down under Section 438 (2)
of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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