

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8733 of 2025

Arising Out of PS. Case No.-309 Year-2024 Thana- RIGA District- Sitamarhi

1. Anupam Kumari D/o Sunil Jha R/o Village- Riga Imlibazar, Ward No.16, P.S.- Riga, Dist. - Sitamarhi
2. Amrita Devi W/o Sunil Jha R/o Village- Riga Imlibazar, Ward No.16, P.S.- Riga, Dist. - Sitamarhi
3. Sunil Jha S/o Late Surendra Jha R/o Village- Riga Imlibazar, Ward No.16, P.S.- Riga, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Murari, Adv.
For the Opposite Party/s : Mr. Jagdhar Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-03-2025 Heard the parties.

2. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Riga P.S. Case No. 309 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 74, 76, 329(4), 303(2), 118(1), 3(5) of BNS Act.

3. The allegation against petitioners are to abuse informant by saying *dayan* (witch) and also to assault her collectively, where during the occurrence injury was caused on her head. The assault was alleged to be caused



by using iron rod.

4. It is submitted by learned counsel appearing on behalf of the petitioners that the husband of the informant and petitioner no. 3 both are own brother and they have dispute regarding ancestral property. It is also pointed out that the husband of the informant is working with Bengal police and upon his instigation, this false case was lodge against petitioner by informant to create an extra pressure as to settle score in land dispute, in her favor. It is also submitted that injuries which was alleged to be received by informant appears simple in nature. It is also pointed out that allegation of theft was raised just to aggravate the allegations *qua* petitioner. While concluding arguments, it is submitted that above named petitioners are men of clean antecedents.

5. Learned APP, opposed the prayer of bail.

6. In view of aforesaid factual and submission and by taking note of fact as the nature of injury appears simple as submitted above which appears not repeated,



accordingly all three above-named petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM VI, Sitamarhi /concerned Court, where the case is pending in connection with Riga P.S. Case No. 309 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of BNSS. Subject to further condition:-

(I) Learned trial court is directed to verify the injury report of informant namely, Sima Devi while accepting the bail bond of the petitioner if the injury found upon her appears grievous in contrary to the submissions as advanced by learned counsel for the petitioner the bail bond of the petitioner shall not be accepted by the Id. Trial court.

(Chandra Shekhar Jha, J)

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