

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23032 of 2025

Arising Out of PS. Case No.-232 Year-2024 Thana- ITARHI District- Buxar

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1. Prithvi Nath Singh @ Prithvinath S/o- Late Damari Singh Resident Of Village- Lodhas, Ps- Itarhi, Dist- Buxar
 2. Pravindra Kumar Singh @ Pravin Kumar Singh @ Pravind Kumar Singh S/o- Prithvi Nath Singh @ Prithvinath @ Prithivi Singh Resident Of Village- Lodhas, Ps- Itarhi, Dist- Buxar
 3. Shanti Devi W/o- Prithvi Nath Singh @ Prithvinath Resident Of Village- Lodhas, Ps- Itarhi, Dist- Buxar
 4. Pinki Devi W/o- Sandeep Kumar Singh @ Sandeep Singh Resident Of Village- Lodhas, Ps- Itarhi, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bindhayachal Singh, Sr. Adv. Mr. Vipin Kumar Singh, Adv. Mr. Kumar Awnish Ankit, Adv.
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 02-07-2025 Heard learned senior counsel for the petitioners and learned APP for the State.

2. Learned senior counsel for the petitioner submits that he is not pressing the bail application on behalf of petitioner Nos. 1 and 2, and is confining his submissions to the bail application for petitioner Nos. 3 and 4 only.

3. The petitioner Nos. 3 & 4 are apprehending arrest in connection with Itarhi P.S. Case No. 232 of 2024, dated 15.10.2024, lodged under Sections 190, 191(2), 191(3) and 103 of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

4. As per the prosecution, FIR has been lodged against



five named accused persons, including the present petitioners. It is alleged that the accused persons attacked the informant's son with a spade, causing severe injuries, including splitting his nose into two parts. When the informant arrived at the scene, he found his son brutally injured, with multiple injuries on his body. Upon taking him to the doctor, the informant was informed that his son had succumbed to the injuries and was declared dead.

5. Learned senior counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. He further submits that, as per the seizure list, the said spade has already been recovered. It is also submitted that the case diary has been called for, and upon perusal, it specifically reveals that it was accused Sandeep Singh who attacked the informant's son and inflicted repeated blows on his body, leading to his death. Counsel further submits that petitioner Nos. 3 and 4 are female, and there is no specific allegation against them in the case diary. It is also stated that the petitioners have no criminal antecedents and have a clean record.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the allegation is against all the four accused persons.



7. Upon perusal of the FIR, it transpires to this Court that the informant is not an eye-witness, as he received information about the dispute only after it had taken place, and reached the spot thereafter. It further appears that the petitioners and the informant are agnates, and that the entire dispute arose over the issue of opening a sewage line (naali), which ultimately resulted in the death of the informant's son. It also transpires from the FIR that the specific allegation of assault is directly against the accused Sandeep Singh.

8. As such, in the present facts and circumstances of this case, **let the petitioner Nos. 3 & 4, namely, Shanti Devi and Pinki Devi** be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Sessions Judge, Buxar, in connection with Itarhi P.S. Case No. 232 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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