

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 22207 of 2025

Arising Out of PS. Case No.-253 Year-2024 Thana- AMNAUR District- Saran

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1. Moni Devi @ Munni Devi W/O Jitendra Pandey Resident of Village- Sultanganj Pandey Tola, Police Station- Amnour, District- Saran.
 2. Jitendra Pandey S/o Late Janak Pandey Resident of Village- Sultanganj Pandey Tola, Police Station- Amnour, District- Saran.
 3. Mukati Nath Tiwari S/O Late Hari Tiwari Resident of Village- Sultanganj Pandey Tola, Police Station- Amnour, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mili Kumari, Advocate

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 23-07-2025 Learned counsel for the petitioners prays for and is allowed to expunge para-10 of the petition which is contrary to the statement made in para-7 in course of the day.

2. Heard the parties.

3. The petitioners are apprehending arrest in connection with Amnour P.S. Case No. 253 of 2024 instituted under Section 190, 191(1), 191(2), 329(3), 109, 117(2), 118(2), 352 and 78 of the BNS lodged on 06.08.2024 by the informant, Birendra Pandey.

4. On 23.04.2025, it was recorded that petitioner no.2 Jitendra Pandey has been arrested and as such his anticipatory



bail application was rejected. Inadvertently, there is spelling mistake in the word Pandey in para-1 which is rectified as 'Pandey' in stead of 'Padeny'.

5. As per the prosecution story, the informant alleged that the accused persons armed variously came and after abuse assaulted. While petitioner no.3, Mukati Nath Tiwary gave blow on the head of the informant causing injury, as his wife, Babita Devi came to his rescue, Karan Tiwary and Jitendra Pandey besides Muni Devi (petitioner no.1) assaulted her causing injury. The further allegation of assault is on the other female members namely Ritu Kumari, Riya Kumar and Sonal Kumari, when his son, Ashish Kumar came to rescue, the allegation is that Karan Tiwary gave iron rod blow on head and hand causing injury. The daughter, Amisha Kumar was also assaulted by Karan Tiwari and outraged her modesty. The injured were taken to primary health centre and then referred to Sadar Hospital, Chapra which followed the FIR.

6. As recorded earlier, the case diary was called for on 23.04.2025 which is on record.

7. Learned counsel for the petitioners submit that so far as assault made by the Karan Tiwary to Ashish Kumar is concerned, has been found to be grievous in nature but other



injuries to Babita Devi as also the informant have been found to be simple in nature.

8. Further submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioner no.3, Mukati Nath Tiwari would like to contribute Rs.10,000/- to the informant, Birendra Pandey towards treatment cost through Demand Draft issued by the local branch of the State Bank of India to be submitted before the concerned Court.

9. Learned APP opposes the prayer stating that the allegation of assault is on all the petitioners including on the head.

10. Taking into account aforesaid facts as the petitioner no.1 Munni Devi has no criminal antecedent, injuries have been found to be simple in nature, FIR is there, they shall be facing the trial, this Court is inclined to extend them the privilege of anticipatory bail subject to payment Rs.10,000/- to the informant, Birendra Pandey towards treatment cost through Demand Draft issued by the local branch of the State Bank of India to be submitted before the concerned Court.

11. Let the petitioner no.1, Moni Devi @ Munni Devi and petitioner no.3, Mukati Nath Tiwari be released on bail, in



the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Amnour P.S. Case No. 253 of 2024 to the satisfaction of learned J.M.1st Class, Saran, Chapra subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioner no.1, Moni Devi @ Munni Devi and petitioner no.3, Mukati Nath Tiwari shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner no.1, Moni Devi @ Munni Devi and petitioner no.3, Mukati Nath Tiwari shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioner no.1, Moni Devi @ Munni Devi and petitioner no.3, Mukati Nath Tiwari shall in no way try to induce or promise or threat the witnesses or tamper with the



evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner no.1, Moni Devi @ Munni Devi and petitioner no.3, Mukati Nath Tiwari shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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