

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33256 of 2025

Arising Out of PS. Case No.-379 Year-2024 Thana- KARAHGAR District- Rohtas

1. Puja Devi W/O Sanjay Yadav Resident of Sidi P.S.- Kargahar, Dist.- Rohtas.
2. Rajesh Kumar @ Rajesh Yadav S/O Lukdi Yadav @ Bundala Yadav Resident of Kargahar P.S.- Kargahar, Dist.- Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The accused-petitioners, named in the F.I.R., are apprehending their arrest in connection with Karahgar P.S. Case No. 379 of 2024 registered for the offences punishable under Sections 352, 126(2), 115(2), 109, 191(2), 190, 303(2) of the Bhartiya Nyay Sanhita, 2023 (in short the 'B.N.S.')

3. The allegation, as available against the petitioners in terms of F.I.R., is that petitioners along with other co-accused persons assaulted the informant and others during course of occurrence by lathi etc. causing head and bodily



injury having intention to cause their death. Occurrence is said to be arisen out of local dispute.

4. Learned counsel appearing on behalf of the petitioners submitted that while the wife of informant was going to bring straw, which was kept in farmyard of accused persons, in the meanwhile, petitioner no. 1 namely, Puja Devi abused and assaulted the wife of the informant and, thereafter, several persons of the family of petitioners arrived there, who was assaulted the informant and his wife causing head and bodily injury. It is submitted that injury, upon medical examination, of the informant found single and simple in nature, which negate *prima-facie* intention to cause death. It is also submitted that nature of injury is also not of such nature, which may suggest that same is likely to cause death of wife of the informant in ordinary course of nature. It is submitted that petitioner no. 1 is a lady of clean antecedent, whereas petitioner no. 2 found involved in one more criminal case, wherein he is on bail.

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



6. In view of the aforesaid factual submissions and by taking note of nature of injury, which appears upon medical examination simple and also appears non-repeated, negating *prima-facie* intention to cause death, accordingly, both above-named petitioners, in the event of their arrest/surrender within a period of four weeks from this order, are directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Kargahar P.S. Case No. 379 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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