

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39971 of 2025

Arising Out of PS. Case No.-981 Year-2023 Thana- LAKHISARAI District- Lakhisarai

1. Jeetan Saw @ Jitendra Saw Son of Sudhir Saw R/village - Chainpura, P S - Suryagarha, Dist. - Lakhisarai
2. Rinku Devi Wife of Jeetan Saw @ Jitendra Saw, D/O- Ramjee Saw R/village - Dharmraychak, P S - Lakhisarai, Distt. - Lakhisarai
3. Arti Kumari@ Arti Devi Wife of Ranjeet Saw, D/O- Ramjee Saw R/village - Dharmraychak, P S - Lakhisarai Distt. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-06-2025 Heard Mr. Manoj Kumar, learned counsel for the petitioners and Mr. Bhanu Pratap Singh, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Lakhisarai P.S. Case No. 981 of 2023, F.I.R. dated 14.12.2023 registered for the offences punishable under Sections 341, 323, 307, 504, 506, 354(A)/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioners is that they along with four other unknown persons started abusing and assaulting the informant due to which he sustained injuries. Co-accused



Ashok Sao took out a pistol from his waist and shot at the daughter of the informant namely Anshu Kumari who sustained injuries at her left thigh.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. He further submits that from perusal of the F.I.R. it transpires that the allegation against the petitioners that they have pressurized the informant to compromise a Case No. 827 of 2023. Although, the petitioners are named in the F.I.R. but from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against the petitioners and there is specific allegation of firing attributed against co-accused person namely Ashok Sao and the petitioners have been made accused merely on the ground that they are family members of co-accused person.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners and submits that petitioner no. 3 having clean antecedent and petitioner no. 1 carries two more cases other than the present one and petitioner no. 3 carries three more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner nos. 1 and 3 are on bail in the pending matters.



6. Considering the aforesaid facts that there is no specific allegation of any assault or overt act attributed against these petitioners, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P.S. Case No. 981 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall



verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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