

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56835 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- MOKAMAH District- Patna

1. Shosan Singh son of Late Shivalak Singh Village- Mekra, Ps- Mokama, Dist- Patna
2. Suruchi Kumari Daughter of Shosan Singh Village- Mekra, Ps- Mokama, Dist- Patna
3. Pinku Devi Wife of Shosan Singh Village- Mekra, Ps- Mokama, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Sen Prasad, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 27-08-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Mokamah P.S. Case No. 50 of 2025 for the offence under sections 329(4), 115(2), 118(1), 109(1), 303(2), 352, 351(2) and 3(5) of the B.N.S. lodged on 09.02.2025 by the informant, Kundan Singh.

3. As per the prosecution story, the informant alleged that on 05.02.2025 when his brother came to his house, the petitioner no. 1 arrived and abused his wife. Upon protest, on the next day, they forcibly entered and allegation is that the petitioner no. 1 used iron rod hitting on the head of his wife and threw chilly powder in her eyes causing injuries. The allegation



against the petitioner nos. 2 and 3 is/are that subsequently, they resorted to fist and slap and further allegation is of taking away the ornament/cash. This led to the FIR.

4. Learned counsel for the petitioners submit that both are agnates, an exaggerated FIR is there, so far as the petitioner nos. 2 and 3 are concerned, allegation of using iron rod is not there and the last submission is that the petitioners without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioners on their own would like to jointly contribute Rs. 15,000/- towards the medical assistance of the injured (Rina Devi) through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP, Mr. Jitendra Kumar Singh opposes the prayer submitting that so far as the petitioner no. 1, Shosan Singh is concerned, not only he hit the lady with iron rod on the head but also threw chilly powder in her eyes.

6. Considering the submissions of the parties as also the contents in the FIR, so far as the petitioner no. 1, Shosan Singh is concerned, his anticipatory bail application stands



rejected.

7. Regarding petitioner no. 2, Suruchi Kumari and petitioner no. 3, Pinku Devi, they are ladies, the allegation of iron rod is not attributed to them, petitioner no. 2 is a young girl, in that background, this Court is inclined to extend them the privilege of anticipatory bail with conditions subject to payment of Rs. 15,000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court and to be handed over to the injured.

8. Let the petitioner no. 2, Suruchi Kumari and petitioner no. 3, Pinku Devi be released on bail in the event of arrest or surrender 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 like amount each to the satisfaction of learned ACJM, III, Barh, Patna in connection with Mokamah P.S. Case No. 50 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner no. 2, Suruchi Kumari and petitioner no. 3, Pinku Devi who shall provide official document to show his/her bona fide;



(ii) the petitioner no. 2, Suruchi Kumari and petitioner no. 3, Pinku Devi 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. 2, Suruchi Kumari and petitioner no. 3, Pinku Devi 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;

(iv) the petitioner no. 2, Suruchi Kumari and petitioner no. 3, Pinku Devi 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)

Adnan/-

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