

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60910 of 2025

Arising Out of PS. Case No.-141 Year-2024 Thana- RAGHOPUR District- Supaul

1. Kalpana Devi W/O Ganesh Das, D/O Ram Chandra Das @ Dinesh Das Resident of Village- Dehpuri Ramvishanpur (Ram Bishanpur), Ward No. 1, Police Station - Raghapur, District- Supaul.
2. Ganesh Das S/O Late Chandeshwari Das @ Late Chandeshwar Das Resident of Village- Dehpuri Ramvishanpur (Ram Bishanpur), Ward No. 1, Police Station - Raghapur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 17-12-2025 Heard Mr. Arun, learned Counsel for the petitioners
and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Raghapur P.S. Case No. 141 of 2024 for the offence registered under sections 341, 323, 354, 316, 504/34 of the IPC lodged on 01.05.2024 by the informant, Chana Devi.

3. As per the prosecution story, the informant alleged that both the parties are family members, on the point of land dispute, they became furious and assaulted variously causing injury to amongst other, Punam Devi who was five months pregnant and this led to the miscarriage.

4. Learned Counsel for the petitioners submit that the



couple has been made accused, even the minor daughter has been named in the FIR. It was a simple land dispute, scuffle took place between the family members. In the scuffle, the lady had some problem which led to the miscarriage. This unfortunate incident has been given the colour of assault theory. Subsequently, they also at the later stage have lodged the FIR. Further, the submission is that without accepting the allegation and/or the outcome of the present petition, in view of the fact that the informant side has alleged injuries, the petitioner no. 2 on its own would like to contribute Rs. 15,000/- to Punam Devi for her medical treatment through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted before the 'NAZARAT' of concerned Court to be handed over to Punam Devi after checking the credentials.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that though at the later stage, FIR has been lodged by the petitioner's side, the fact remains that the informant's side sustained injuries.

6. Considering the submissions of the parties as also the fact that petitioner no. 1 is a lady, the unfortunate incident has taken place, both have no criminal antecedent, they have undertaken to co-operate in the investigation, in that



background, this Court is inclined to grant them the anticipatory bail with conditions subject to payment of Rs. 15,000/- to the lady, Punam Devi by the petitioner no. 2 as undertaken by the learned counsel for the petitioners to be paid by Demand Draft of local branch of the State Bank of India/any Nationalized Bank to be submitted to the Trial Court.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-1st, Birpur, Supaul in connection with Raghopur P.S. Case No. 141 of 2024 subject to the following conditions:

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners 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 petitioners 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 petitioners shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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