

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72496 of 2024

Arising Out of PS. Case No.-277 Year-2024 Thana- BAKHTIYARPUR District- Patna

1. Krinta Devi @ Shanti Devi W/o- Hareram Yadav Resident of Village- Ghanghdidh PS- Bakhtiyarpur, Dist-Patna
2. Suraj Kumar Yadav @ Suraj Yadav @ Bhulla @ Bhulu Son of Hareram Yadav Resident of Village- Ghanghdidh PS- Bakhtiyarpur, Dist-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Pandey, Advocate
For the State	:	Mr. Raj Kishor Singh, APP
For the Informant	:	Mr. Ashok Kumar Kashay, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 22-04-2025 Heard learned counsel for the petitioners, learned counsel for the informant as well as learned APP for the State.

2. Petitioners apprehends their arrest in connection with a case registered for the offences under Sections 323, 341, 325, 337, 307, 34 of the IPC and Section 27 of Arms Act.

3. The F.I.R., discloses general and omnibus allegations against the accused persons who are four in number of assaulting the informant and his wife and son by means of lathi, danda and bricks on his head and hand.

4. Learned counsel for the petitioners submits that it would be evident from the F.I.R., itself that the allegations are general and omnibus in nature and no specific allegation has been attrib-



uted to the present petitioners. The weapons which have been said to be used are also not dangerous weapons and the further allegation of having used the butt of a pistol goes to show that no offence under Section 307 of IPC would be made out for the reason that if the accused persons were armed with pistol there was nothing to stop them from using the same if they had the intention to kill. The injury reports of the informant would go to show that the injury suffered by him is simple in nature. Suraj Kumar, the son of the informant had received injuries in the nature of abrasion, swelling and laceration and the same was caused by hard and blunt substance but the opinion was reserved. However, the supplementary injury report would indicate that a letter has been written to the S.H.O., by the said Suraj Kumar stating that he never went to any Government hospital for his treatment. So far as the injury of Renu Devi, the wife of the informant is concerned, the supplementary injury report would show that one injury sustained by her is grievous in nature but the same is on the right hand wrist which is a non-vital part of the body.

5. Learned counsel for the petitioners further submits that petitioner no.1 is a lady and there is case and counter case between the parties.



6. Learned counsel for the informant as well as learned APP for the State opposed the prayer for grant of anticipatory bail.
7. Considering all the facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioners. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) **each** with two sureties of the like amount each to the satisfaction of learned ACJM, III, Barh, Patna in connection with Bakhtiyarpur P.S. Case No.277 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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