

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87766 of 2024

Arising Out of PS. Case No.-174 Year-2024 Thana- BIBHUTIPUR District- Samastipur

1. Jay Mangali Devi Wife of Yogendra Das Village-Sakhmohan, P.S. -Bibhutipur, District -Samastipur
2. Chhoti Devi Wife of Phulchand Das @ Fulchand Das Village-Sakhmohan, P.S. -Bibhutipur, District -Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Sarandha Suman, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 08-05-2025 Heard the learned Advocate for the petitioners and the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bibhutipur P.S. Case No. 174 of 2024, registered for the offences punishable under Sections 147, 148, 149, 323, 324, 354, 307, 341, 342 and 302 of the Indian Penal Code.

3. The allegation against the petitioners is of assaulting the informant and her husband along with 12 named accused persons by means of lathi, danda and farsa. Later on, the husband of the informant succumbed to the injuries.

4. Learned Advocate for the petitioners taking this Court through the written report has contended that there is



omnibus nature of allegation against all the family members, 12 in number, of causing assault to the husband of the informant. The petitioners before this Court are female members, whereas petitioner no. 1 is aged about 80 years and petitioner no. 2 is aged about 33 years. In fact, on account of some land dispute, both the parties have entered into a scuffle, resulting into injuries to persons of both the sides. There is a counter version of the present case being Bibhutipur P.S. Case No. 177 of 2024 instituted by the husband of the petitioner no. 1 and father-in-law of the petitioner no. 2. In fact in the said incident, both the petitioners have also sustained injuries. Other male members of the petitioners side have been extended the privilege of regular bail by the learned co-ordinate Bench of this Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that in the said incidence, where petitioners have actively participated, one of the persons has lost his life because of the assault.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioners are ladies, having fair antecedent, apart from omnibus allegation against all the FIR named accused persons, coupled with the case and counter case, let the petitioners above named be



released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) **each** with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Rosera, Samastipur in connection with Bibhutipur P.S. Case No. 174 of 2024, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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