

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86014 of 2024

Arising Out of PS. Case No.-427 Year-2024 Thana- KHAGARIA District- Khagaria

1. Munna paswan Son of Sheetal Paswan Resident of Village - Kamalpur, Ward No.8, P.S. and District -Khagaria
2. Sanju Devi Wife of Munna Paswan Resident of Village - Kamalpur, Ward No.8, P.S. and District -Khagaria
3. Mangesh Kumar Son of Munna Paswan Resident of Village - Kamalpur, Ward No.8, P.S. and District -Khagaria
4. Aman Kumar Son of Munna Paswan Resident of Village - Kamalpur, Ward No.8, P.S. and District -Khagaria

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Chandan Kumar Kashyap, Adv.
For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 16-01-2025 1. Heard learned Counsel for the petitioners and learned APP for the State.

2. This application, for grant of anticipatory bail, arises out of Khagaria P.S. Case No. 427 of 2024, disclosing offences under Section 126(2), 115(2), 117(2), 329(3), 139, 351(2), 352, 3(5) of Bharatiya Nyaya Sanhita, 2023.

3. The prosecution story, as per the First Information Report, is that on 23.08.2024 at 12.00 noon, the informant's daughter went to school and when she did not return home, the informant started searching her daughter. During search, she got



information that her daughter was seen going towards station with Nitesh Kumar on a rickshaw. When the informant went to the house of Nitesh Kumar, his family members started abusing her. It has further been alleged that the petitioners, alongwith other accused persons, armed with lathi, danda, khanti and iron rod, assaulted her and tried to kill her by opening gas pipe and setting fire.

4. Learned Counsel for the petitioners submit that the petitioners have falsely been implicated in this case due to the fact that they happened to be the family members of the co-accused Nitesh Kumar with whom the victim was found going on rickshaw. He further submits, by referring to the injury report (Annexure-2 series), that the injuries caused to the informant and others were simple in nature. The allegation against the petitioners are general and omnibus in nature. The statement of the victim girl was recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in which she has stated that when she was scolded by her mother, she left the house and went to station, called Nitesh Kumar and went to Panipat alongwith him. Petitioner nos.1 and 3 have got one criminal antecedent each and petitioner nos. 2 and 4 have no criminal antecedent.



5. Regard being had to the submission made on behalf of the parties and taking into consideration the fact that the petitioners happen to be the family members of co-accused Nitesh Kumar and the injuries, sustained by the informant and others are simple in nature, I am inclined to grant privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Khagaria, in connection with Khagaria P.S. Case No. 427 of 2024, subject to the condition laid down under Section 482(2) of the B.N.S.S.

(Anil Kumar Sinha, J)

Suruchi/-

U		T	
---	--	---	--

