

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85175 of 2024

Arising Out of PS. Case No.-525 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

1. Nilam Devi S/O Baiju Bhagat Resident of Village- Bhikhanpur, Ward No. 7, P.S.- Ahiyapur, District- Muzaffarpur
2. Rani Devi W/O Chandan Kumar Resident of Village- Bhikhanpur, Ward No. 7, P.S.- Ahiyapur, District- Muzaffarpur
3. Pallavi Kumari W/O Santosh Kumar Resident of Village- Bhikhanpur, Ward No. 7, P.S.- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajeev Ranjan No. II, Adv.
For the informant	:	Mr. Bhavesh Kumar, Adv.
For the Opposite Party/s	:	Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-02-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Ahiyapur P.S. Case No. 525/2024 dated 18.04.2024 registered for the offence punishable u/ss 147, 148, 149, 324, 326, 307 and 302 of the Indian Penal Code.

3. As per the prosecution case, on 17-04-2024, when the informant was at his home one Baiju Bhagat and Shankar Bhagat installed Thressor Machine in front of the informant house. On being objected by the informant, both the persons started threatening the informant but with the intervention of the local person, the matter was pacified and further on 18-04-2024,



the petitioners and the co-accused persons armed with lathi and sword came to the house of the informant and started abusing and assaulting the informant, in the meantime, the co-accused Santosh Kumar assaulted Sashi Krishan with a sword on the neck but somehow he escaped and sustained injury on his shoulder. It is further alleged that the other accused persons also assaulted him. When the brother of the informant and Sanju Devi came to rescue, they were also assaulted by the accused persons. Further, when the son of the informant was lying severely injured on road, the co-accused Suraj Kumar crushed him with tractor (chariot). Thereafter, the informant's son was taken to hospital where he was declared dead and others were treated at S.K.M.C.H., Muzaffarpur.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. There is general and omnibus allegation against the petitioners. The petitioners are only member of the mob. The specific allegation is against the co-accused, Santosh Kumar and Suraj Kumar. The co-accused person has already been granted regular bail by this court vide order dated 26.10.2024 passed in Cr. Misc. No. 59936 of 2024. The petitioners are ladies and they



have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioners. As per the post-mortem report, the cause of death is due to haemorrhage and shock caused by hard and blunt substance.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Muzaffarpur in connection with Ahiyapur P.S. Case No. 525/2024, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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

