

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.488 of 2025

Arising Out of PS. Case No.-87 Year-2024 Thana- PALIGANJ District- Patna

1. Savita Devi @ Sarita Devi W/O Jogendra Mistry @ Jogendra Sharma @ Yogendra Mistri Resident of Village- Balipakar PS- Paliganj, Dist.- Patna
2. Jogendra Mistry @ Jogendra Sharma @ Yogendra Mistri S/O Late Jitan Mistry Resident of Village- Balipakar PS- Paliganj, Dist.- Patna
3. Rahul Kumar S/O Jogendra Mistry @ Jogendra Sharma @ Yogendra Mistri Resident of Village- Balipakar PS- Paliganj, Dist.- Patna
4. Anand Kumar @ Anand Kumar S/O Jogendra Mistry @ Jogendra Sharma @ Yogendra Mistri Resident of Village- Balipakar PS- Paliganj, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navin Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 06-02-2025 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Paliganj PS case no. 87 of 2024, disclosing offences punishable under Section 307 and other allied sections of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that on 03.03.2024 in the afternoon, informant's brothers arrived at the house of their sister in order to settle the matter between their sister and brother-in-law. In the meantime,



informant and her husband started doing foolish talks. Subsequently, the petitioners assaulted the informant's brother Vikash Kumar with sword on his head, due to which, he sustained injury. Another brothers namely Prakash Kumar and Vikash Kumar were also assaulted by the petitioners.

4. Learned Counsel for the petitioners submits that petitioners have not committed any offence in the manner alleged and they have falsely been implicated in the present case on the basis of concocted story. A counter case has been lodged by the side of the petitioners and written report was submitted by them on the same day but F.I.R. has been lodged subsequently. Petitioner no. 4 is the husband of the informant and petitioners no. 1, 2 and 3 are mother-in-law, father-in-law and brother-in-law of the informant. Learned counsel further submits that petitioner no. 4 was admitted on 04.03.2024 in All India Institute of Medical Sciences due to assault made by the side of the informant and was discharged on 19.03.2024. He also submits that injury caused to the informant's brother are not serious in nature, inasmuch as in the impugned order, though the Additional Sessions Judge has discussed the injury but has not mentioned the nature of injury as grievous.

5. Regard being had to the submissions made on



behalf of the parties and taking into consideration the fact that both parties are closely related, there is case and counter case between them and injuries caused to the informant's side are not serious in nature, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within six 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 S.D.J.M., Danapur in connection with Paliganj PS case no. 87 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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