

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54699 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- MATIHANI District- Begusarai

1. Reena Devi Wife Of Balram Singh Village- Ramdiri Lovarchak Tola, Ward No. 6, P.S-. Matihani, District -Begusarai
2. Raj Kumari Devi Wife Of Balindra Singh Village- Ramdiri Lovarchak Tola, Ward No. 6, P.S-. Matihani, District -Begusarai
3. Ashok Singh @ Bhakol Singh @ Ashok Kumar Singh Son Of Jado Singh Village- Ramdiri Lovarchak Tola, Ward No. 6, P.S-. Matihani, District -Begusarai
4. Raushan Kumar Son Of Balendra Singh Village- Ramdiri Lovarchak Tola, Ward No. 6, P.S-. Matihani, District -Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Mistry, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Matihani P.S. Case No. 48 of 2024 dated 03.04.2024 instituted for the offence punishable under Sections 147, 341, 323, 307, 379/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged date and time of occurrence, the petitioners along with other accused persons armed with *lathi-danda*, *khanti*, spade, iron rod started assaulting the sons of the informant, namely, Aman Kumar



and Keshav Kumar. At the behest of co-accused Balinder Singh, Co-accused Balram Singh assaulted on the head of the Keshav Kumar by means of spade, due to which he sustained grievous injury. It is alleged that petitioner no. 4 assaulted Aman Kumar by means of *lathi*. Petitioner no. 3 assaulted on the head of the informant by means of *khanti*. Petitioner no. 1 also assaulted the informant by means of bricks and *lathi*. It is also alleged that accused persons also assaulted the family members of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that there is specific allegation against co-accused Balram Singh. Allegation against the petitioners are general and omnibus. There is a case and counter case between the parties. The present case is counter case of Matihani P.S. Case No. 47 of 2024 which has been lodged by petitioner no. 3 against the sons and other family members of the informant under sections 341, 447, 323, 307, 379, 504, 506/34 of the Indian Penal Code. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the



case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Matihani P.S. Case No. 48 of 2024, they will be released on bail 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 Judicial Magistrate, First Class, Begusarai, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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