

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8954 of 2020

Arising Out of PS. Case No.-193 Year-2019 Thana- DERNI BAZAR District- Saran

1. ANITA DEVI W/o Jitendra Singh Resident of Murli Sirisiya, P.S.- Garkha, District- Saran at Chapra.
2. Ashok Singh S/o Nagina Singh Resident of Village- Admapur, P.S.- Garkha, District- Saran at Chapra.
3. Kamlesh Kumar @ Kamlesh Singh S/o Ashok Singh Resident of Village- Admapur, P.S.- Garkha, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anurag Saurav

For the Opposite Party/s : Mr. Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 26-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and Shri Md. Matloob, learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with P.S. Case No. of for the offence registered under Sections of the Indian Penal Code.

The allegation is regarding the petitioner no. 1 having assaulted Srikanti Devi by tangi on her head and as far as the petitioner no. 2 is concerned, he is stated to have assaulted



Ranjan Kumar Ranjan and the informant of this case is stated to have been assaulted by the petitioner no. 3 by *garasa*.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and are having clean antecedent. It is further submitted that on account of village rivalry, the petitioners have been falsely implicated by the informant.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

I have heard the learned counsel for the parties, perused the materials on record as also gone through the materials available in the case diary. It is apparent from the case diary that the injuries sustained by the persons stated to have been assaulted by the petitioner no. 1 have been found to be simple in nature by the doctor. Moreover, the petitioners are also stated to be having clean antecedent, hence, this Court finds that benefit of doubt can be extended to the petitioners for the purposes of grant of anticipatory bail, however, subject to certain conditions.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioners, I deem it fit and proper to admit the



petitioners to the privilege of anticipatory bail.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XII, Saran at Chapra in connection with Derni P.S. Case No. 193 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

It is needless to state that the petitioners would mark their attendance before the Officer In-Charge of the concerned Police Station at 10:00 A.M. on every Monday of the week and in the event of their failure to do so on two consecutive occasions, the present privilege of bail shall stand cancelled automatically and the petitioners shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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