

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 15699 of 2020

Arising Out of PS Case No.-603 Year-2019 Thana- GOPALGANJ TOWN District- Gopalganj

1. Nirmala Devi, aged about 48 years, female, Wife of Parshuram Yadav.
2. Kamlawati Devi, aged about 37 years, female, Wife of Byash Yadav.
3. Ankit Yadav @ Ankit Kumar, aged about 18 years, male, Son of Byash Yadav, all resident of Village- Tirwirwan, P.S.- Town, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vinay Ranjan, Advocate
For the State	:	Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 15-06-2020

The matter has been heard *via* video conferencing due to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Mr. Vinay Ranjan, learned counsel for the petitioners and Mr. Harendra Prasad, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioners are in custody in connection with Gopalganj Town PS Case No. 603 of 2019 dated 11.11.2019 instituted under Sections 447, 448, 341, 323, 307, 324, 302, 504, 506/34 of the Indian Penal Code.



4. The allegation against the petitioners and three others is of abuse and general assault, and specific against two other co-accused of hitting by *lathi*.

5. Learned counsel for the petitioners submitted that the parties are agnates and there is also a counter case in which there is injury on the side of the informant. Learned counsel submitted that even as per the FIR, the allegation against the petitioners is only with regard to abuse and attack by fists and slaps. It was submitted that the same is also general and omnibus. Learned counsel submitted that without having any other criminal antecedent they are in custody since 11.11.2019.

6. Learned APP submitted that against the petitioners also, there is allegation of abuse and attack by fists and slaps. However, he did not controvert the fact that the same is general and ominous and not specific and further that against two other co-accused, there is specific allegation of assault by *lathi*.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, Gopalganj in Gopalganj Town PS Case No. 603 of 2019 subject to the



conditions (i) that one of the bailors shall be a close relative of the petitioners, and (ii) that the petitioners shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall lead to cancellation of their bail bonds.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P.Kumar/Anand Kr.

AFR/NAFR	
U	
T	

