

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16969 of 2020

Arising Out of PS. Case No.-219 Year-2019 Thana- JOGAPATTI District- West Champaran

1. ALOK SHAHI S/o Late Birendra Shahi Resident of Village- Siswa Bhumihar, P.S.- Yogapatti (Nawalpur), District- West Champaran.
2. Chanda Devi W/o Alok Shahi Resident of Village- Siswa Bhumihar, P.S.- Yogapatti (Nawalpur), District- West Champaran.
3. Abhijeet Kumar @ Abhijeet Shahi S/o Alok Shahi Resident of Village- Siswa Bhumihar, P.S.- Yogapatti (Nawalpur), District- West Champaran.
4. Madhu Kumari D/o Alok Shahi Resident of Village- Siswa Bhumihar, P.S.- Yogapatti (Nawalpur), District- West Champaran.
5. Manisha Kumari D/o Alok Shahi Resident of Village- Siswa Bhumihar, P.S.- Yogapatti (Nawalpur), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-09-2020 Heard the learned counsel for the petitioners
and Sri Binod Kumar, the learned APP for the State.

This is an application for grant of anticipatory
bail in connection with Yogapatti (Nawalpur)
P.S.Case No. 219 of 2019 registered for the offence
punishable under Sections 448, 341, 323, 324,
307, 379 and 34 of the Indian Penal Code.

At the outset, the learned counsel for the
petitioners seeks to withdraw the present petition



qua the petitioners no. 1, 3 and 5.

Accordingly, the present petition qua the petitioners no. 1, 3 and 5 stands dismissed as not pressed.

The allegation is regarding the accused persons including the petitioners herein having assaulted the informant as also are stated to have snatched a sum of Rs. 5,000/- and some ornaments, after breaking the box kept in the house of the informant.

The learned counsel for the petitioners has submitted that the petitioners no. 2 and 4 are innocent, they have been falsely implicated in the present case and they are having clean antecedent. It is further submitted that the petitioners no. 2 and 4 have not been alleged to have committed any sort of specific overt act as against the informant, hence, they are fit to be granted the privilege of anticipatory bail.

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

Having regard to the facts and circumstances



of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the fact that a general and omnibus allegation has been levelled against the petitioners no. 2 and 4, I deem it fit and proper to admit the petitioners no. 2 and 4 to the privilege of anticipatory bail.

Accordingly, the petitioners no. 2 and 4 are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran in connection with Yogapatti (Nawalpur) P.S. Case No. 219 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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