

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23954 of 2020

Arising Out of PS. Case No.-380 Year-2019 Thana- WAJIRGANJ District- Gaya

1. VIJAY YADAV Son of Damodar Yadav Resident of Village - Bahera, Police Station - Wazirganj, District - Gaya.
2. Barti Devi Wife of Vijay Yadav Resident of Village - Bahera, Police Station - Wazirganj, District - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar
For the Opposite Party/s	:	Mr. Atul Chandra, APP
For the Informant	:	Mr. Sunil Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 25-11-2020 At the outset, the learned counsel for the petitioners seeks to withdraw the present petition qua the petitioner no.1 namely Vijay Yadav. Accordingly, the present petition qua the petitioner no. 1 herein stands disposed of as not pressed, however, with liberty to him to appear before the learned court below in connection with Wazirganj P.S. Case No. 380 of 2019 and pray for regular bail.

Heard the learned counsel for the petitioner no. 2, the learned APP for the State Shri Atul Chandra and Shri Sunil Kumar, the learned counsel appearing for the informant.

The petitioner no. 2 apprehends her arrest in connection with Wazirganj P.S. Case No. 380 of 2019 for the



offence punishable under Sections 379/ 504/506/34 and other allied sections of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioner no. 2 herein having abused and assaulted the mother-in-law of the informant on the alleged date and time of occurrence and when the informant had gone there to save her mother-in-law, she was also assaulted by iron rod and stick, resulting in her sustaining grievous injury.

The learned counsel for the petitioner no.2 has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner is a lady and has got no role in the alleged occurrence, especially in view of the fact that there is no allegation of any sort of specific overt act, as against her.

The learned APP appearing for the State has vehemently opposed the prayer for anticipatory bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the parties and taking into account the fact that a general and omnibus allegation has been levelled against the



petitioner no.2, I deem it fit and appropriate to admit the petitioner no. 2 to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the learned court below within a period of four weeks from today, the petitioner no.2, above-named, shall be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- 1st, Gaya in connection with Wazirganj P.S. Case No. 380 of 2019, subject to the conditions laid down under Section 438(2) of the Cr. P.C.

(Mohit Kumar Shah, J)

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