

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87394 of 2019

Arising Out of PS. Case No.-769 Year-2019 Thana- MADHEPURA District- Madhepura

1. PINKU SAH Son of Late Panchu Sah Resident of Aadarsh Nagar Ward No. 07, P.S.- Madhepura, Distt - Madhepura.
2. Meena Devi Wife of Gajendra Sah Resident of Aadarsh Nagar Ward No. 07, P.S.- Madhepura, Distt - Madhepura.
3. Runa Devi Wife of Devendra Sah Resident of Aadarsh Nagar Ward No. 07, P.S.- Madhepura, Distt - Madhepura.
4. Suraj Kumar Son of Gajendra Sah Resident of Aadarsh Nagar Ward No. 07, P.S.- Madhepura, Distt - Madhepura.
5. Jogman Devi Wife of Panchu Sah Resident of Aadarsh Nagar Ward No. 07, P.S.- Madhepura, Distt - Madhepura.
6. Ful Kumari Wife of Pinku Sah Resident of Aadarsh Nagar Ward No. 07, P.S.- Madhepura, Distt - Madhepura.
7. Aakash Kumar Son of Gajendra Sah Resident of Aadarsh Nagar Ward No. 07, P.S.- Madhepura, Distt - Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad
For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-01-2020 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Madhepura P.S. Case No. 769 of 2019 for the offence registered under Sections 341, 323, 307, 448, 504, 506 and 34 of the Indian Penal Code.

The allegation is regarding the accused persons



having arrived at the door of the informant and thereafter they are stated to have assaulted the members of the prosecution party.

The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated and they have clean antecedents. The learned counsel has referred to the impugned order dated 05.11.2019 and has submitted that there is no injury report on record, hence it is amply clear that members of the prosecution party have not received any injury. It is further submitted that a general and omnibus allegation has been levelled against the accused persons including the petitioner, however, there is no allegation of any sort of overt act as against the petitioners herein.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioners coupled with the fact that there is no specific allegation of any overt act as against the petitioners and there is no injury report on record, I deem it fit and proper to admit the petitioners herein 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 Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No.769 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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