

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86909 of 2019

Arising Out of PS. Case No.-171 Year-2019 Thana- PARSABAZAR District- Patna

1. SANGITA DEVI @ SANGITA KUMARI Wife of Shri Mukesh Kumar Resident of Village - Basuhar, Potahi Pothi, P.S.- Punpun, District- Patna but in F.I.R., it is mentioned as Village- Rahimpur, P.S.- Parsa Bazar, District- Patna which is her Naihar (native Village)
2. Ashok Kumar @ Ashok Vishwakarma Son of Shri Sidheshwar Vishwakarma Resident of Village - Rahimpur, P.S.- Parsa Bazar, District- Patna
3. Premchand Kumar @ Prem @ Premchandra Kumar Son of Shri Sidheshwar Vishwakarma Resident of Village - Rahimpur, P.S.- Parsa Bazar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Nath Ojha
For the Opposite Party/s : Mr.Anant Kumar I

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

This is an application for grant of anticipatory bail in connection with Parsa Bazar P.S. Case No. 171 of 2019, registered for the offence punishable under Sections 147, 148, 149, 341, 323, 427, 504, 307 and 379 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners having had an altercation with the prosecution side on account of drainage problem whereafter the accused persons are stated to have assaulted the members of the



prosecution party resulting in injuries being sustained by the informant.

The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the present case and they are having a clean antecedent. It is further submitted that the impugned order dated 15.11.2019 would bear it out that there is no injury report on record, hence, it cannot be stated that any injury has been inflicted upon the informant.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners, coupled with the fact that a general and omnibus allegation has been levelled against the petitioners and moreover, there is no injury report on record of the case, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the petitioners 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 Sub Judge VIII cum Additional Chief Judicial



Magistrate, Patna / successor court in connection with Parsa Bazar P.S. Case No. 171 of 2019 (G.R.No. 4616 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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