

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29788 of 2021

Arising Out of PS. Case No.-58 Year-2021 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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1. LAXMI DEVI W/o Mithilesh Mishra Resident of Village - Madhukar Chapra, P.S.- Kanti, Distt.- Muzaffarpur.
 2. Priyanka Devi D/o Mithilesh Mishra Resident of Village - Madhukar Chapra, P.S.- Kanti, Distt.- Muzaffarpur.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar
For the Opposite Party/s	:	Mr. Nand Kishore Prasad
For the Informant	:	Mr. Mahendra Thakur

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-07-2021 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State through virtual Court proceedings.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners seek bail in a case registered for the offence punishable under Sections 341, 323, 307, 379, 506 & 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in brief, is that while the son



of the informant was returning after grinding the wheat, the accused Rishav Kumar, Mithilesh Mishra and four unknown persons on two motorcycles came and surrounded him at Bheriya Chowk and started abusing him. On protest Rishabh Kumar and Mithilesh Mishra with an intention to kill him fired upon him. Four bullets have been pumped into his both legs. Rishabh Kumar also inflicted blow on his head by the butt of the pistol causing head injury. It is further alleged that on previous day the petitioners and others came to the house of the informant and threatened that Keshav Kumar (victim) will not see the dusk of the next day.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. They are quite innocent and have been falsely implicated in this case due to land dispute and old enmity. They are ladies and no overt act has been attributed against them. There is no eye witness to the occurrence and the allegations are only on the basis of suspicion. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The petitioners have no criminal antecedent and have been languishing in custody since 25.01.2021.

Learned counsel for the informant and learned



APP for the State vehemently opposed the bail petition.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Kanti P.S. Case No.58 of 2021.

(Anjani Kumar Sharan, J)

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