

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27339 of 2020

Arising Out of PS. Case No.-33 Year-2020 Thana- SIMRI District- Buxar

1. Asha Devi W/O Deepak Yadav Resident of Village - Subran Yadav ka Dera, Gangauli, Neyazipur, P.S. - Simri, District - Buxar.
2. Rekha Devi D/O Deepak Yadav Resident of Village - Subran Yadav ka Dera, Gangauli, Neyazipur, P.S. - Simri, District - Buxar.
3. Deepak Yadav S/O Late Krishna Yadav Resident of Village - Subran Yadav ka Dera, Gangauli, Neyazipur, P.S. - Simri, District - Buxar.
4. Ritesh Yadav S/O Sobran Yadav Resident of Village - Subran Yadav ka Dera, Gangauli, Neyazipur, P.S. - Simri, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashwini Kumar Rai, Adv.

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-01-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Simri (R.D.R.O.P.) P.S. Case No.33 of 2020, registered under sections 147, 149, 447, 307, 379 and 504 of the Indian Penal Code.

As per allegation in the F.I.R., the accused persons including the four petitioners herein are stated to have assaulted the informant and other persons namely Grahan Yadav and



Shankar Yadav.

It is submitted by learned counsel for the petitioners that the allegations as levelled in the F.I.R. are false and concocted. No recovery of any incriminating article has taken place from the possession of the petitioners. Further referring to the order of the learned Court below it is submitted that the details of the injuries of the informant and others have been mentioned in the order from which it would transpire that almost all the injuries have been found to be simple in nature. It is submitted that the petitioner nos.1 and 2 are ladies and the petitioners have no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and on going through the allegations levelled in the F.I.R. together with the details of the injury mentioned in the order of the learned Court below it transpires that there is direct allegation against the petitioner nos. 3 and 4 of having assaulted Grahana Yadav and Shankar Yadav.

Further from perusal of the order of the learned Court below it transpires that the petitioners had surrendered in the learned Court below on 24.2.2020 and had filed an application



for grant of regular bail. The same was rejected by the learned Additional Chief Judicial Magistrate-IV, Buxar on 24.2.2020, however, after rejection and disposal of the bail petition the petitioners escaped from judicial custody from the Court.

Thus in view of the facts and circumstances of the case, this Court is not inclined to enlarge the petitioners on bail.

The application is rejected.

(Partha Sarthy, J)

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