

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32359 of 2021

Arising Out of PS. Case No.-414 Year-2020 Thana- BARH District- Patna

1. Sita Devi, Wife of Kishan Mahto, Resident of Village Agwanpur, P.S. Barh, District Patna.
2. Sunaina Devi, Wife of Shambhu Mahto, Resident of Village Agwanpur, P.S. Barh, District Patna.
3. Gautam Kumar, Son of Shambhu Mahto, Resident of Village Agwanpur, P.S. Barh, District Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gyanendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-01-2022 Heard learned counsel for the parties through virtual court proceedings.

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

The petitioners apprehend their arrest in Barh P.S. Case No.414 of 2020, registered for the offences punishable under Sections 341, 323, 307, 427 and 34 of the Indian Penal Code.



The petitioners and other co-accused persons are said to have abused and assaulted the informant by means of different weapons. When the sons of the informant came to save her, the petitioners along with other co-accused persons also assaulted them.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. There is general and omnibus allegation against the petitioners. There is case and counter case between the parties and both sides sustained injuries. It is further submitted that the injuries are simple in nature. The opinion of one injury is reserved. It is submitted that the petitioners have got no criminal antecedent as stated in para 3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners.

Taking into consideration the facts that there is case and counter case between the parties and both sides sustained injuries, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of



learned Additional Chief Judicial Magistrate, Barh, Patna in connection with Barh P.S. Case No.414 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J.)

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