

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22552 of 2022

Arising Out of PS. Case No.-258 Year-2021 Thana- WAJIRGANJ District- Gaya

1. Kapil Kumar S/O Jagroop Yadav Resident Of Village- Yamunapur, P.S.- Wazirganj, District- Gaya.
2. Subhash Kumar S/O Jagroop Yadav Resident Of Village- Yamunapur, P.S.- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 25206 of 2022

Arising Out of PS. Case No.-258 Year-2021 Thana- WAJIRGANJ District- Gaya

Munni Devi Wife Of Jagroop Yadav R/O Village- Yamunapur, P.S.- Wazirganj, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 22552 of 2022)

For the Petitioner/s : Mr.Syed Asgher Najmi

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

(In CRIMINAL MISCELLANEOUS No. 25206 of 2022)

For the Petitioner/s : Mr.Syed Asgher Najmi

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

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

The petitioners are apprehending their arrest in a case



registered for the offence punishable under Sections 341, 323, 308, 504, 506, 34 of the Indian Penal Code.

Petitioners are said to have assaulted the informant with lathi and rod as a result of which he sustained head injury.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case. He submits that there is case and counter case between the parties and both sides have sustained injury. He submits that the injury found upon the victim is simple in nature. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that petitioner in Cr. Misc. No. 25206 of 2022 is the lady. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that the injury found upon the victim is grievous in nature caused by hard and blunt substance and vital part of the body.

Considering the facts that the injury found upon the victim is grievous in nature, I am not inclined to enlarge the petitioners on bail in Cr. Misc. No. 22552 of 2022. Accordingly, their prayer for anticipatory bail is rejected in connection with



Wazirganj P.S. Case No. 258 of 2021.

However, petitioner in Cr. Misc. No. 25206 of 2022 is the lady, let the above named petitioner in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) 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 Wazirganj P.S. Case No. 258 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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