

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35568 of 2022

Arising Out of PS. Case No.-10 Year-2022 Thana- TANDWA District- Aurangabad

1. RAJU SAO Son of Jawahir Sao Resident of Village - Pachhiyari Beni, P.S.- Tandwa, District - Aurangabad.
2. Kamlesh Sao Son of Raju Sao Resident of Village - Pachhiyari Beni, P.S.- Tandwa, District - Aurangabad.
3. Meena Devi Wife of Raju Sao Resident of Village - Pachhiyari Beni, P.S.- Tandwa, District - Aurangabad.
4. Deepak Sao Son of Balram Sao Resident of Village - Nahaiya Bigha, P.S.- Hariharganj (Palamu), Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh
For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-09-2022 At the outset, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application in respect of petitioner no.1, Raju Sao.

Permission is granted.

Accordingly, this anticipatory bail application is dismissed as withdrawn so far as petitioner no.1, Raju Sao is concerned.

Now, this anticipatory bail application survives only against petitioners no.2 to 4.

Heard both sides.

Petitioners No.2 to 4, above named, apprehend their



arrest in connection with Tandawa P.S. Case No.10 of 2022, registered for the offences punishable under Sections 341, 323, 504, 506 and 307 of the Indian Penal Code.

The prosecution case, in brief, is that on 05.02.2022, Raju Sao entered into the room of the informant, Anita Devi and started abusing and assaulting her with lathi causing head injury. Kamlesh Kumar and Deepak Sao assaulted her with lathi. After that meena Devi started abusing her and threw her on the ground and assaulted with fists and legs. Resham Kumari was also assaulted by Meena Devi when she came to save the informant. When the husband of the informant came to save her, he was also assaulted by Raju Sao. Rishu Kumari was also assaulted by Kamlesh Sao with lathi as a result she sustained injury in her hand.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. The petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that there is general and omnibus allegation against the petitioners. Raju Sao and the husband of the informant are own brothers and there is dispute between the parties on account of partition of a land. It is also submitted that the opinion



regarding the injury has been kept reserved by the doctor.

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

Taking into consideration the facts aforesaid, let petitioners no.2 to 4, namely, Kamlesh Sao, Meena Devi and Deepak Sao 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 Chief Judicial Magistrate, Aurangabad (Bihar) in connection with Tandawa P.S. Case No.10 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

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