

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52595 of 2021

Arising Out of PS. Case No.-39 Year-2021 Thana- MOUZAHDIPUR District- Bhagalpur

1. OM PRAKASH SAH Son of Arjun Sah Resident of Mohalla- Warsaliganj, P.S.- Mojahidpur, District- Bhagalpur.
2. Mohini Devi Wife of Om Prakash Sah Resident of Mohalla- Warsaliganj, P.S.- Mojahidpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madan Mohan

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-06-2022 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 Mojahidpur P.S. Case no. 39 of 2021 instituted for the offence punishable under Sections 341, 323, 307, 379, 504 and 34 of the Indian Penal Code.

As per allegation in the FIR, when the son of the informant went to a shop to bring breakfast, which was situated near the house of the petitioner and started to watch video in mobile of shopkeeper, petitioner and his wife came there and started to abuse and assault him resulting into his head and leg injury. On hulla, when his father came there, he was also assaulted by the petitioner and his wife.

Learned counsel appearing on behalf of the petitioners has



submitted that petitioners are innocent and have committed no offence. Only with a view to save the skin from earlier case Mojahidpur P.S. Case No. 33 of 2021, filed by the daughter of the petitioner against Rahul Kumar Yadav, the present case has been lodged after a delay of two days against the present petitioner. They have got no criminal antecedent.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Mojahidpur P.S. Case no. 39 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bhagalpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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