

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44375 of 2022

Arising Out of PS. Case No.-461 Year-2021 Thana- BRAHMPUR District- Buxar

1. SHIVGOVIND YADAV @ SHIGOVIND YADAV Son of Late Bharosa Yadav Resident of village- Ramgara, P.s- Barhampur, Dist- Buxar
2. Radhika Devi @ Radhika Wife of Sheojee Yadav Resident of village- Ramgara, P.s- Barhampur, Dist- Buxar
3. Phulwanti Devi @ Phulanti Devi Wife of Birendra Yadav Resident of village- Ramgara, P.s- Barhampur, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323 and 308 of the Indian Penal Code.

The informant alleges that on 25.08.2021 on account of dispute relating to flow of drainage water, an altercation took place with her neighbor Shivji Yadav and thereafter it is alleged that the accused persons including the petitioners came and assaulted her causing injury on her head.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner No.1 is a senior citizen aged about 76 years and petitioner nos. 2 and 3 are



women and they have been falsely implicated in the present case, it is further submitted that no doubt one of the injuries on the head of the informant is said to be grievous and other injuries are simple in nature but then the allegation of assault is general and omnibus in nature as no specific overt act has been alleged against the petitioners.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, and the fact that the petitioner no. 1 is a senior citizen aged about 76 years and petitioner nos. 2 and 3 are women, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Brahampur P.S. Case No. 461 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

gauravkr/-

U		T	
---	--	---	--

