

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 47847 of 2022

Arising Out of PS. Case No.-422 Year-2022 Thana- BIHAR District- Nalanda

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1. AMBIKA YADAV S/o Tilakdhari Yadav Resident of Mohalla- Saluganj, P.S.- Bihar, Biharsharif, District- Nalanda.
 2. Manju Kumari @ Manju Devi W/o Wife of Shiv Kumar Yadav Resident of Mohalla- Saluganj, P.S.- Bihar, Biharsharif, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-11-2022 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 341, 323, 307, 337, 338, 379, 504, 506 and 34 of the Indian Penal Code.

The informant alleges that on account of previous dispute Prince and Kinsu on point of gun took her and her son near their house where accused persons assaulted her son and snatched Rs. 15,300/- and gold ring from her and chain of her son, further petitioner no. 1 and Shiv Kumar assaulted her son by brick and iron rod.

Learned counsel for the petitioners submits that the



petitioners have antecedent of two cases and petitioner no. 1 is 82 years of age and petitioner no. 2 is a woman and have been falsely implicated in the present case, it is next submitted that as far as petitioner no. 2 is concerned, the allegation against her is general and omnibus in nature and against petitioner no. 1, it is alleged that he along with Shiv Kumar assaulted her son by brick and iron rod causing injury on head, it is also submitted that the nature of assault though alleged is general and omnibus in nature that as to whether by assault of petitioner no. 1 grievous injury was caused to the son of the informant or by assault of Shiv Kumar, grievous injury was caused. Learned counsel next submits that since petitioner no. 1 is an old person nearing his grave and is frail and is suffering from several diseases and is not in a position to walk even, as such, it is difficult to believe that he committed the occurrence.

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, 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. 10,000/-



(Rupees Ten 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 Bihar P.S. Case No. 422 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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