

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64408 of 2021

Arising Out of PS. Case No.-186 Year-2021 Thana- KHAIRA District- Jamui

1. Lukhiya Devi, Wife Of Bhitho Yadav Resident Of Village- Kageshwar, P.S.- Khaira, District- Jamui.
2. Pappu Yadav, Son Of Bhitho Yadav Resident Of Village- Kageshwar, P.S.- Khaira, District- Jamui.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ram Sumiran Rai
For the State	:	Mr. Bal Mukund Prasad Sinha
For the Informant	:	Mr. Satya Prakash Parasar
		Mr. Kumar Prabhakar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 326, 307, 302 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

The learned counsel for the petitioners submits that petitioner no.1 is a lady aged about 71 years and both the petitioners are persons with clean antecedent and the informant alleges that the accused persons came variously armed and assaulted her husband. It is next alleged that petitioner no.1 gave sword blow to Tripurari Yadav, who assaulted her husband by



sword and petitioner no.2 fired at Ishwar Yadav causing injury.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. From perusal of the injury report of Ishwar Yadav (Annexure-2 series), it would manifest that he had not received any gunshot injury which completely belies the allegation against the petitioner no.2. It is next submitted that as far as petitioner no.1 is concerned, she is a lady aged about 71 years and she has been roped falsely in the present case merely because she is family member of accused persons.

The learned counsel for the informant as well as learned A.P.P. opposes the bail application, but are not able to meet the submission of the learned counsel for the petitioners with regard to the injury report of Ishwar Yadav.

Considering the submissions made by the learned counsel for the petitioners and taking into consideration the fact that the petitioner no.1 is a lady and both the petitioners are persons with clean antecedent, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the learned Court below
where the case is pending in connection with Khaira P. S. Case
No.186 of 2021, subject to the conditions laid down under
Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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