

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6483 of 2023

Arising Out of PS. Case No.-197 Year-2021 Thana- FATEHPUR District- Gaya

1. KAUSHALYA DEVI W/O Devlal Yadav R/O Village- Taro, P.S- Fatehpur, District- Gaya
2. Devlal Yadav S/O Late Bhuna Yadav R/O Village- Taro, P.S- Fatehpur, District- Gaya
3. Meena Devi W/O Satyendra Yadav R/O Village- Taro, P.S- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Adv.
For the Opposite Party/s : Ms.Madhuri Lata, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 18-09-2023 Heard learned counsels for the parties.

2. Vide order dated 20.07.2023 this application was dismissed as withdrawn in respect of petitioner no.1

3. Now, this application survives only with respect to rest of the petitioners.

4. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504 r/w Section 34 of the Indian Penal Code.

5. The prosecution case, in brief, is that on 11.06.2021, all the accused persons including these



petitioners came to the informant and assaulted her and her family members with lathi. Co-accused Sentu Kumar is said to have given a blow of axe on the head of Manoj Yadav causing injury to him. Petitioner no.2 assaulted the informant by means of *Khanti* on her head.

6. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is old enmity between the parties. Injuries caused by the petitioners to the injured persons were found simple in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

7. Learned APP for the State opposes the prayer for bail.

8. Having regard to the facts and circumstances of the case, as there is general and omnibus allegation against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the



learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Fatehpur P.S. Case No. 197 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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