

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13142 of 2023

Arising Out of PS. Case No.-129 Year-2021 Thana- MAIRWAN District- Siwan

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1. GYANTI DEVI @ GYANWANTI DEVI W/O YOENDER KUMAR PANDEY R/v- Narahiya, P.S.- Mairwa, District- Siwan
 2. AMIT KUMAR PANDEY S/O SHRI YOGENDRA KUMAR PANDEY R/v- Narahiya, P.S.- Mairwa, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mayank Mohan

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case instituted for the offence under Sections 341, 448, 323, 337, 338, 325, 302, 506 and 34 of the Indian Penal Code.

The allegation against the petitioners along with others are of killing the husband of the informant by means of *lathi*, *danda* and rod. Thereafter, it is alleged that they also assaulted the informant's daughter and son.



It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. Petitioner no. 1 is a lady suffering from many diseases and there is general and omnibus allegation against the her. There is no specific allegation of assaulting against the petitioner no. 1. It is further submitted that from perusal of the case diary as well as impugned order, it transpires that specific allegation of assaulting is against co-accused Yogendra Kumar Pandey and Amit Kumar Pandey (petitioner no. 2). Similarly situated co-accused Yogendra Kumar Pandey, and co-accused Ashish Kumar Pandey have already been enlarged on bail by different co-ordinate bench of this Court vide order dated 10.05.2022 passed in Cr. Misc. No. 62206 of 2021 analogous with Cr. Misc. No. 56838 of 2021. The case of the petitioner no 2 stands on similar footing to those of the co-accused persons who have already been enlarged on bail. They are languishing in judicial custody since 28.10.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named



petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned ACJM-VII, Siwan in connection with Mairwa P.S. Case No. 129 of 2021.

(Sunil Kumar Panwar, J)

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