

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14507 of 2023

Arising Out of PS. Case No.-483 Year-2022 Thana- GAURICHAK District- Patna

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1. Lilauni Devi @ Lilauti Devi @ Lilawati Devi Wife of Vidya Pal R/V- Barawan, P.S- Gaurichak, Dist- Patna
 2. Shivji Kumar @ Shiv Kumar Son of Vidya Pal R/V- Barawan, P.S- Gaurichak, Dist- Patna

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manisha Prakash, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners, in the present case, are seeking pre-arrest bail in connection with Gaurichak P.S. Case No. 483/2022 registered for the offences punishable under Sections 341, 323, 147, 149, 307, 504 & 506 of the Indian Penal Code. They have no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that when he was alone at her house in the meanwhile the accused Vidya Pal, Mithilesh Pal, Fulo Devi, Shivji Kumar (petitioner no. 2) and Lilauni Devi (petitioner no. 1) came and started abusing, and on protest all the accused persons started



assulting her.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case. Learned counsel submits that both the parties are own brothers and are separate in mess and business and some dispute is there between them with respect to a piece of land. There is case and counter case between the parties. Learned counsel further submits that the co-accused Vidya Pal against whom there is specific allegation of assault has been granted privilege of pre-arrest bail by a learned coordinate Bench of this Court in Cr. Misc. No. 11695/2023.

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

Having regard to the facts and circumstances of the case, the submission that there is case and counter case between the parties, both the parties are closely related to each other and the co-accused Vidya Pal against whom there is specific allegation of assault causing two injuries which are simple in nature has been granted privilege of anticipatory bail by a learned coordinate Bench of this Court in Cr. Misc. No. 11695/2023, this Court, therefore, directs that in case of their arrest/surrender within a period of four weeks from today, let the



petitioners above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - VI, Patna in connection with Gaurichak P.S. Case No. 483/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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