

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15653 of 2023

Arising Out of PS. Case No.-565 Year-2022 Thana- BUXAR District- Buxar

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1. USHA DEVI W/O GOPAL SHARMA R/O VILL- SATIGHAT BUXAR,
P.S.- BUXAR (TOWN), DIST- BUXAR
 2. GOPAL SHARMA S/O LATE CHHOTELAL SHARMA R/O VILL-
SATIGHAT BUXAR, P.S.- BUXAR (TOWN), DIST- BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma
For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-05-2023 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 379, 354, 504, 506/34 of the Indian Penal Code.

As per the prosecution case, on 15.09.2022 at 11.30 PM, petitioners and one co-accused Rubi Devi alongwith 3-4 unknown persons entered the house of informant and looted articles of her shop. It is further alleged that co-accused Rubi Devi assaulted on the head of daughter of the informant and caused head injury to her. Petitioner no. 2 Gopal Sharma is alleged to have assaulted on back and breast of the informant.

It is submitted on behalf of petitioners that injury sustained by the informant is simple in nature. As a matter of fact, both petitioners were witness to Buxar (Town) P.S. Case



No. 523 of 2022, which was lodged by co-accused Rubi Devi against informant and others and for that reason, the petitioners have been made accused in this case. Petitioners have got clean antecedent.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Buxar in connection with Buxar (Town) P.S. Case No. 565 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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