

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21573 of 2023

Arising Out of PS. Case No.-425 Year-2021 Thana- FATEHPUR District- Gaya

1. RAJIYA DEVI D/O - Prabhu Yadav Resident of Village - Dhashaura PS - Fatehpur Dist. - Gaya
2. Rohan Yadav son of Pati Yadav Resident of Village- Vijay Nagar PS- Fatehpur Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Deep Nishi, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 07-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506 and 307/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of two cases and is a woman and petitioner no. 2 is a person with clean antecedent.

4. The informant alleges that he was intercepted by the accused persons including the petitioners and Mukesh Yadav assaulted him with lathi causing injury on his head and thereafter all the accused assaulted him with fists and slaps and threatened that he would be killed like Ramswaroop Yadav and nothing will happen to them.

5. Learned counsel for the petitioners submits that



petitioners have been falsely implicated in the present case. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that specific allegation of assault is against Mukesh Yadav. It is next submitted that from perusal of the allegation, it would manifest that the informant was recognizing the accused persons as such it absolutely does not stand to reason that why the petitioners would have indulged in such an occurrence and thus would have created evidence against themselves and hence could have been implicated.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds 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/successor court in connection with Fatehpur P.S. Case No. 425 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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