

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26010 of 2023

Arising Out of PS. Case No.-766 Year-2022 Thana- SHERGHATI District- Gaya

1. YADU NANDAN SINGH @ YADU NANDAN SINHA S/O RAM GULAM SINGH Resident of Village- Mansa Bigha, P.S.- Sherghati, District- Gaya.
2. PANKAJ SINGH S/O YADU NANDAN SINGH Resident of Village- Mansa Bigha, P.S.- Sherghati, District- Gaya.
3. ANTIMA DEVI W/O PANKAJ SINGH Resident of Village- Mansa Bigha, P.S.- Sherghati, District- Gaya.
4. PUSHPA DEVI W/O RAVINDRA SINGH Resident of Village- Mansa Bigha, P.S.- Sherghati, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2

For the Opposite Party/s: Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-07-2023 Heard learned counsel for the petitioners as well as learned APP for the State.

Learned counsel for the petitioners seeks permission to withdraw this application with regard to the petitioner no.2, namely, Pankaj Singh.

Permission is granted.

Accordingly, this application as against the petitioner no.2 is dismissed as withdrawn.

Now, this application is being heard with regard to the petitioner nos.1, 3 and 4 only.



The petitioners apprehends their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 504, 506, 307, 325 and 379 of the Indian Penal Code.

As per the F.I.R., on the pretext of an old land dispute, the accused persons including the petitioners armed with weapons brutally assaulted the informant and his family members due to which they sustained injuries. It is also alleged that the petitioners entered the house of the informant and looted money and ornaments from his daughter.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is a case and counter-case between the parties and both sides have sustained injuries. He further submits that although there is an allegation against the petitioner no.1 to assault one Ujjawal but the injury has been found to be of simple in nature. He further submits that there is no specific overt act against the petitioner nos.3 and 4 and both are ladies. The Petitioner nos.1 and 4 have no criminal antecedent whereas petitioner no.3 has one criminal antecedent, which is



also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner nos.1, 3 and 4, 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 court below where the case is pending/Successor Court in connection with Sherghati P.S. Case No.766 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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