

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39417 of 2023

Arising Out of PS. Case No.-568 Year-2022 Thana- CHANDAUTI District- Gaya

1. Resham Kumar Son Of Suresh Yadav Resident Of Village - Ward No. 29, Chandauti, P.S. - Chandauti, Distt. - Gaya, Bihar
2. Raju @ Dilip Kumar Son Of Rewat Yadav Resident Of Village - Pokhara, P.S. - Chandauti, Distt. - Gaya, Bihar
3. V.C. @ Yaduvansh Kumar Son Of Ramcharit Yadav Resident Of Village - Kochi, P.S. - Guraru, Distt. - Gaya, Bihar
4. Guddu Kumar Son Of Mahender Yadav Resident Of Village - Wahapur Dih, P.S. - Deo, Distt. - Aurangabad, Bihar
5. Gandhi @ Dhananjay Kumar Son Of Devanandan Yadav Resident Of Village - Beldhi, P.S. - Sherghati, Distt. - Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 30-11-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 447, 448, 431, 323, 354, 506, 379, 34 of the Indian Penal Code.

3. As per FIR, petitioners along with other accused persons entered into the house of the informant and accused Sanjay @ Babu @ Sanjay Kumar assaulted her by stone with intention to kill her as a result thereof, she received injury on her eye.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that there is specific allegation against co-accused Sanjay @ Babu @ Sanjay Kumar who assaulted the informant by means of stone. He submits that there is no specific overt act against the petitioners. He submits that there is case and counter case between the parties and both sides have sustained injury. He further submits that petitioner nos. 1, 2 and 4 have no criminal antecedent and petitioner nos. 3 and 5 have criminal antecedents as stated in para-3 of the bail application and the supplementary affidavit filed on behalf of the petitioners.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Chandauti P.S. Case No. 568 of 2022,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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