

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38642 of 2023

Arising Out of PS. Case No.-433 Year-2022 Thana- KUSHESHWARASTHAN District-
Darbhanga

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1. Shyam Kant Yadav Son Of Ram Sundar Yadav Resident Of Village-
Nadiyami, Ps- Kusheshwarasthan, Distt- Darbhanga
 2. Birendra Kumar @ Birendra Kumar Yadav Son Of Shashi Kant Yadav
Resident Of Village- Nadiyami, Ps- Kusheshwarasthan, Distt- Darbhanga
 3. Dauna Devi Wife Of Ram Sunder Yadav Resident Of Village- Nadiyami, Ps-
Kusheshwarasthan, Distt- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 308, 354, 379, 504 and 506/34 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, all the accused persons in the F.I.R. are said to have assaulted the informant and his family members.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is general and omnibus



allegation against the petitioners. He submits that there is no specific overt act against the petitioners. He further submits that injuries found upon the victims are simple in nature. He further submits that petitioner no.1 has got one criminal antecedent and petitioner no.2 & 3 have got no criminal antecedent as stated in para-3 of the bail application.

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

6. Considering the aforesaid facts and circumstances and the fact that there is general and omnibus allegations levelled against the petitioners, let the petitioners, named above, in the event of their arrest/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.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Kusheshwarasthan P.S. Case No.433 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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