

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36859 of 2023

Arising Out of PS. Case No.-173 Year-2022 Thana- BANKA District- Banka

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1. Devanand Yadav Son of Late Fulo Yadav Resident of village - Maharajganj, P.S. - Banka, Distt . - Banka
 2. Sangeeta Devi Wife of Devanand Yadav Resident of village - Maharajganj, P.S. - Banka, Distt . - Banka
 3. Ashish Kumar @ Krishna Kumar Son of Devanand Yadav Resident of village - Maharajganj, P.S. - Banka, Distt . - Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate
For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 21-07-2023 1. Heard the learned counsel for the petitioners and learned APP for the State.
2. This is an application for grant of anticipatory bail in connection with Banka P.S. Case No.173 of 2022, registered for offences under Sections 341, 323, 504, 506, 307, 379/34 of the IPC.
3. The allegation is regarding the accused persons, including the petitioners herein, having abused and assaulted the informant, his wife, his mother, his father and his grand father as also his



brother.

4. The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that the present case arises out of case and counter case. The learned counsel for the petitioners has also submitted that the injuries, sustained by the injured persons, have been found to be simple in nature.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioners is having a clean antecedent and the injuries sustained by the injured persons have been found to be simple in nature, as has been averred by the learned counsel for the



petitioners, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

7. Accordingly, the above named petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No.173 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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