

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42483 of 2023**

Arising Out of PS. Case No.-135 Year-2023 Thana- JOGAPATTI District- West Champaran

1. Om Prakash Prasad @ Om Prakash Prasad Soni @ Om Prakash Soni Son Of Late Chhedi Sah Resident Of Village - Machhargawan Bazar, P.S. - Yogapatti, Distt. - West Champaran
2. Savitri Devi Wife Of Om Prakash Soni @ Om Prakash Prasad @ Om Prakash Prasad Soni Resident Of Village - Machhargawan Bazar, P.S. - Yogapatti, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Bimlesh Kumar Pandey
For the Opposite Party/s :	Mr. Pranav Kumar
	Mr. Umesh Kumar Gupta

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 10-08-2023 Heard learned counsel for the petitioners, learned

A.P.P. for the State assisted by learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 406, 420, 376, 504, 506, 34 of the Indian Penal Code.

3. Informant alleged that the petitioners along with co-accused, Sumit Kumar, cheated Rs. 10 lakh in the name of getting job in Bihar Police and co-accused, Sumit Kumar, raped her on the false pretext of marriage.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is no



specific overt against these petitioner. There is specific allegation against co-accused, Sumit Kumar. The petitioners no. 1 and 2 are father and mother of co-accused, Sumit Kumar. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State and learned counsel for the informant opposed prayer for anticipatory bail and submitted that petitioners are involved in the present case. Hence, they do not deserve privilege of anticipatory bail.

6. Having regard to the facts and circumstances of the case and the fact that there is no specific overt act against the petitioners, let the above named petitioners, 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 lower Court where the case is pending/successor Court in connection with Yogapatti (Sanichari) P.S. Case No.135 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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