

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48778 of 2023

Arising Out of PS. Case No.-27 Year-2023 Thana- SIKRAUL District- Buxar

1. Dhanjee Yadav, S/O Late Banka Yadav, R/O Village- Gopepur, Ps. Sikraul, Dist. Buxar
2. Phul Kumari Devi, W/O Dhanjee Yadav, R/O Village- Gopepur, Ps. Sikraul, Dist. Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash Upadhyay, Advocate

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2023 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Sikraul P.S. Case No.27/2023 registered on 04.04.2023 for the offences punishable under Sections 341, 323, 504, 379, 354/34 of the Indian Penal Code.

3. As per the FIR, the accusation is of abusing and assaulting the informant and his wife with a lathi. Petitioner no.2 is alleged to have assaulted the wife of the informant with fists and slaps and also committed theft of earrings.

4. It is submitted by learned counsel for the petitioners that the petitioners are innocent and have committed no offence. From perusal of the FIR, it transpires that the present scuffle took place in the background of the construction of a toilet. For the



same date of occurrence, petitioner no.1 has lodged a case being Sikraul P.S. Case No. 28/2023. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent. Moreover, the parties have entered into a compromise and to that effect, a compromise petition has been filed before the learned trial Court (Annexure-3 to the petition).

5. Learned APP for the State opposes the prayer for bail of the petitioners, but submits that from perusal of Annexure-3 annexed with the petition, it appears that the parties have entered into a compromise.

6. Considering the nature of the accusation and the fact that the parties have entered into a compromise, let the above-named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Buxar in connection with Sikraul P.S. Case No.27/2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J)

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