

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51844 of 2023

Arising Out of PS. Case No.-69 Year-2023 Thana- DARIYAPUR District- Saran

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1. SITA DEVI W/O Nand Kishore Sah R/O Village- Mujauna, P.S- Dariyapur, Distt.- Saran.
 2. Nand Kishore Sah S/O Bundi Lal Sah R/O Village- Mujauna, P.S- Dariyapur, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Nalin Kumar

For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-08-2023 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 379, 313, 366A and 498A of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, all the accused persons including the petitioners are involved in assaulting and torturing of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that the petitioners are in laws of the informant. He submits that there is no specific overt act against



the petitioners. He further submits relies upon the judgment of this Court in the case of *Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006 (3) PLJR 182*. He further submits that petitioners 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 no specific overt act 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 Dariyapur P.S. Case No.69 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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