

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52369 of 2022

Arising Out of PS. Case No.-43 Year-2021 Thana- DELHA District- Gaya

1. TUPPI KUMARI @ TUKI KUMARI D/o Late Nand Kishore Yadav @ Nandkishor Yadav Resident of Village- Chhotki Delha, P.S.- Delha and District- Gaya.
2. Sima Kumari D/o Late Nand Kishore Yadav @ Nandkishor Yadav Resident of Village- Chhotki Delha, P.S.- Delha and District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 53865 of 2022

Arising Out of PS. Case No.-43 Year-2021 Thana- DELHA District- Gaya

1. BHOLA YADAV S/o Late Nand Kishore Yadav @ Nandkishor Yadav R/o village- Chhotki Delha, P.S.- Delha, District- Gaya
2. Ravi Yadav @ Ravi Kumar S/o Late Nand Kishore Yadav @ Nandkishor Yadav R/o village- Chhotki Delha, P.S.- Delha, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 52369 of 2022)

For the Petitioner/s : Mr.Manish Kumar No2, Adv.

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

(In CRIMINAL MISCELLANEOUS No. 53865 of 2022)

For the Petitioner/s : Mr.Manish Kumar No2, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-01-2023 As both these bail applications have cropped up from the same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.

Heard learned counsel for the petitioners and learned



A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defect (s), as pointed out by the office, within a period of four weeks.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 379, 447, 448 and 506 of the Indian Penal Code.

Allegedly, petitioners along with other co-accused persons assaulted the informant's family members by different weapons. They also snatched golden chain. They took Rs. 25000/- which has been kept in the house.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence as alleged ever took place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. This is a counter blast of Delha P.S. Case No. 36 of 2021. It is further submitted that the petitioner's side also sustained injury. Though the allegation against the petitioners that they assaulted informant's side with lathi and danda, but as per the injury report, all the injuries are simple in nature. Petitioners have no criminal antecedent as



mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, all the injuries are simple in nature, 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 Court below where the case is pending/successor Court in connection with Delha P.S. Case No. 43 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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