

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61201 of 2023

Arising Out of PS. Case No.-33 Year-2023 Thana- ISHUPUR BARAHAT District- Bhagalpur

1. Sunita Devi W/O Parmeshwar Ravidas, resident of Jadu Bhasua (SAVAIYA), Ps. Ishipur Barahat, Dist. Bhagalpur
2. Parmeshwar Ravidas S/O Late Mukti Ravidas, resident of Jadu Bhasua (SAVAIYA), Ps. Ishipur Barahat, Dist. Bhagalpur
3. Telgu Ravidas @ Tegul Ravidas S/O Late Mukti Ravidas, resident of Jadu Bhasua (SAVAIYA), Ps. Ishipur Barahat, Dist. Bhagalpur
4. Tetar Ravidas S/O Jodhan Ravidas, resident of Jadu Bhasua (SAVAIYA), Ps. Ishipur Barahat, Dist. Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 11-10-2023 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 Ishipur (Barahat) P.S. Case No.33 of 2023, registered for offences under Sections 341, 323, 504, 307, 325, 354, 379/34 of the IPC.
3. The allegation is regarding the accused persons, including the petitioners herein, whereupon they had arrived at the house of the



husband of the informant, while he was constructing a hut, whereupon they had started abusing him and upon protest, the co-accused person, namely, Rahul Ravidas is stated to have assaulted him with an axe, on his head, resulting in discharge of blood from his head, however, in the meantime, other members of the prosecution party had arrived there to save the husband of the informant, upon which they were also assaulted by the accused persons.

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, and moreover, a general and omnibus allegation has been levelled against the petitioners, however, allegation of specific overtact has been levelled qua the co-accused person, namely, Rahul Ravidas, hence the petitioner be granted the privilege of anticipatory bail.



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 co-accused person, namely, Rahul Ravidas is alleged to be the main assailant, who had inflicted an axe blow on the head of the husband of the informant, whereas only a general and omnibus allegation has been levelled against the petitioners, apart from the fact that the petitioners are having a clean antecedent, 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 ACJM-II, Bhagalpur in connection with Ishipur (Barahat) P.S. Case No.33 of 2023, 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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