

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59921 of 2023

Arising Out of PS. Case No.-139 Year-2023 Thana- PUNPUN District- Patna

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1. BIGAN YADAV S/O SRI VINOD YADAV R/O VILLAGE- KEWARA, P.S- PUNPUN, DISTT.- PATNA.
 2. MISHRI KUMAR @ MISHRI YADAV S/O SRI VINOD YADAV R/O VILLAGE- KEWARA, P.S- PUNPUN, DISTT.- PATNA.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deovind Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-09-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Punpun P.S. Case No. 139 of 2023 dated 04.05.2023 registered for the offences punishable under Sections 341, 323, 325, 307, 379, 504 read with Section 34 of the Indian Penal Code and Section 37 of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have entered the house of the



informant and brutally assaulted on his head causing head injury. Thereafter, they also looted Rs. 1,00,000/- and ornaments.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. There is case and counter case between the parties. It is further submitted that there is general and omnibus allegation against the petitioners. Nothing has been recovered from the possession of the petitioners. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, let the above named petitioners, in the event of their arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Punpun P.S. Case No. 139 of 2023, subject to the condition as laid down under Section 438(2) of the Code of



Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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