

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62170 of 2023

Arising Out of PS. Case No.-5 Year-2023 Thana- SHEKHPURA District- Sheikhpura

1. Simpi Devi Wife Of Rajesh Kumar Resident Of Village- Gawai, Ps-Sheikhpura (HATHIYAWA Op), Distt- Sheikhpura
2. Rajesh Kumar Son Of Mahesh Singh Resident Of Village- Gawai, Ps-Sheikhpura (HATHIYAWA Op), Distt- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-10-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. Learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner no. 2 submitting that during pendency of this application the petitioner no. 2 has already been apprehended by the police.

3. Permission is granted.

4. Accordingly, this application with regard to petitioner no. 2 is dismissed as withdrawn.

5. Now, this application is being heard only with regard to petitioner no. 1.

6. Heard learned counsel for the petitioner and



learned A.P.P. for the State.

7. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 447, 357, 379, 506, 504, 34 of the Indian Penal Code.

8. Allegation against the petitioner is that she along with other co-accused person assaulted and abused the informant and her family members.

9. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the husband of the petitioner no. 1 and informant's husband, Vijay Kumar, are brother and there is land dispute between them. He further submits that the petitioner's side has also lodged a complaint case against the informant's side. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

10. Learned APP for the State opposes prayer for anticipatory bail.

11. Considering the facts and circumstances of the case and the fact that petitioner no. 1 is a female, let the above named petitioner no. 1, be released on bail, in the event of his



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) 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 Sheikhpura (Hathiyawa O.P.) P.S. Case No. 05 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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