

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65991 of 2022

Arising Out of PS. Case No.-66 Year-2022 Thana- TURKAULIYA District- East Champaran

1. RAJKALI DEVI W/o Yogi Thakur R/v- Semra Parshurampur, P.S.-
Turkauliya, District- East Champaran
2. YOGI THAKUR S/o Shivhankar Yadav R/v- Semra Parshurampur, P.S.-
Turkauliya, District- East Champaran
3. GUDDU KUMAR S/o Yogi Thakur R/v- Semra Parshurampur, P.S.-
Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Asif Kalim

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-01-2023 Heard the parties.

Learned counsel for the petitioners seek permission to withdraw this application as against the petitioner nos.1 and 2, as they have been arrested by the police during the pendency of the bail application.

Permission is granted.

Accordingly, this application as against the petitioner no.1 and 2 is dismissed as withdrawn.

Now, this application is being heard with regard to petitioner no.3 only.

The petitioner apprehend his arrest in a case registered for



the offence punishable under Sections 147, 149, 341, 323, 324, 354, 354(B), 307, 379, 427 and 506 of the Indian Penal Code.

The allegation against the petitioner is that the petitioner in association with other co-accused persons assaulted the informant and her son due to which they sustained injuries. It is alleged that co-accused Paras Miya took out Rs.3500/- from the pocket of the son of the informant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case due to land dispute running between the family of Malauddin Ansari and informant. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. He further submits that from the perusal of the impugned order it is clear that the injuries are simple in nature. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, as the injuries are simple in nature, let the above named



petitioner no.3, be released on bail, in the event of his/her 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 Turkauliya P.S. Case No.66 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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