

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75635 of 2023

Arising Out of PS. Case No.-59 Year-2023 Thana- JAGDISHPUR District- Bhojpur

1. Baijnath Mahto (Baja) @ Baijnath Singh @ Baijnath Mahto Son of Ramjee Singh Resident of Village - Ramnagar (Dalippur), Dumraon Tola, P.S. - Jagdishpur, District- Bhojpur.
2. Suryakali Devi @ Surja Kali Devi Wife of Baijnath Mahto (Baja) @ Baijnath Singh @ Baijnath Mahto Resident of Village - Ramnagar (Dalippur), Dumraon Tola, P.S. - Jagdishpur, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Ranjan Kumar, Advocate
For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-12-2023 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Jagdishpur P.S. Case No. 59 of 2023 dated 10.02.2023 registered for the offences punishable u/ss 341, 307, 504 read with section 34 of the Indian Penal Code and u/s 27 of the Arms Act.

3. As per the prosecution case, when the informant's husband had gone to the garage for repairing his motorcycle then the petitioners and the co-accused persons are alleged to have come and started abusing him. The co-accused Pradeep



Kumar @ Tunna opened fire on the informant's husband due to which he sustained injuries on his right arm, ankle and shoulder and fell down. Thereafter, the informant's husband was taken to the hospital for treatment.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The specific allegation of firing is against the co-accused Pradeep Kumar @ Tunna. The petitioners are implicated in this case only because they are the parents of the co-accused Pradeep Kumar @ Tunna. There is general and omnibus allegation against the petitioners and the petitioners have no concern with the alleged offence. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. 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 bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Ara in



connection with Jagdishpur P.S. Case No. 59 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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