

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71787 of 2022**

Arising Out of PS. Case No.-273 Year-2022 Thana- MADANPUR District- Aurangabad

1. PRABHA DEVI W/O Nagendra Yadav R/O Village- Pranpur, P.S-  
Madanpur, District- Aurangabad
2. Mukhiya @ Mukhiya Kumar S/O Laldeo Yadav R/O Village- Pranpur, P.S-  
Madanpur, District- Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Tej Narayan Singh, Advocate

For the Opposite Party/s : Mr.Nand Kishore Prasad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      29-04-2023                      Heard the learned counsel for the  
petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Madanpur P.S. Case No. 273 of 2022, for the offence registered under Sections 147, 149, 323, 354, 427, 504 and 506 of the Indian Penal Code and Sections 3/4 of the Daain Act.

The allegation against the petitioners is that they along with other two co-accused persons had assaulted and abused the father-in-law of the informant, resulting in him sustaining serious injuries.



The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and are having a clean antecedent. The learned counsel for the petitioners has further submitted that a general and omnibus allegation has been levelled against all the accused persons, hence, the petitioners are not having any complicity in the matter. Lastly, it is submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail, by a Co-ordinate Bench of this Court vide order dated 23.02.2023, passed in Criminal Miscellaneous No. 61342 of 2022.

Per contra, the learned A.P.P. appearing for the State has vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available on record as also considering the parity of



the case of the petitioners with that of the co-accused persons who have already been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Court, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Madanpur P.S. Case No. 273 of 2022, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

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