

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72013 of 2023

Arising Out of PS. Case No.-76 Year-2023 Thana- MORKAHI District- Khagaria

1. Vilaxni Devi S/O Late Awadh Singh Village- Gharari, Rasaunk, Ps. Morakahi, Dist. Khagaria
2. Asha Devi W/O Sitaram Singh Village- Gharari, Rasaunk, Ps. Morakahi, Dist. Khagaria
3. Chanda Kumari D/O Sitaram Singh Village- Gharari, Rasaunk, Ps. Morakahi, Dist. Khagaria
4. Reshma Kumari D/O Sitaram Singh Village- Gharari, Rasaunk, Ps. Morakahi, Dist. Khagaria
5. Mousam Kumari D/O Sitaram Singh Village- Gharari, Rasaunk, Ps. Morakahi, Dist. Khagaria
6. Sitaram Singh S/O Late Awadh Singh Village- Gharari, Rasaunk, Ps. Morakahi, Dist. Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar Singh
For the State	:	Mr. Md. Anzarul Haque Sahara
For the Informant	:	Mr. Bhola Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302/34, 120 of the Indian Penal Code.

3. As per the prosecution case, the petitioners along with other co-accused persons are said to have assaulted the husband and the son of the informant.



4. Learned counsel for the petitioners submits that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that petitioners no. 1 to 5 are female and petitioner no. 6 is a male. He further submits that there is no specific overt act against the petitioners and there is specific allegation against co-accused, Nitish Kumar, who assaulted the deceased person, this fact is also not denied by learned counsel for the informant. Petitioners no. 1 and 2 have two criminal antecedents, petitioners no. 3, 4 and 5 have one criminal antecedent and petitioner no. 6 has three criminal antecedents as mentioned in para-3 of the supplementary affidavit.

5. Learned APP for the State as well as learned counsel for the informant opposed prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the fact that there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their 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) each



with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Morkahi P.S. Case No.76 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

U		T	
---	--	---	--

