

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73965 of 2023

Arising Out of PS. Case No.-228 Year-2023 Thana- KHUSRUPUR District- Patna

1. Shivpujan Tatva @ Shivpujan Tanti Son Of Chhedi Tantva Village-Mosimpur Ps- Kushrupur Dist- Patna
2. Nirmala Devi Wife Of Shivpujan Tatva @ Shivpujan Tanti Village-Mosimpur Ps- Khushrupur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 05-12-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in a case in connection with Khusrupur P.S. Case No. 228 of 2023 dated 03.06.2023 registered for the offence/s punishable u/ss 341, 323, 307, 504 and 506 read with section 34 of the Indian Penal Code.

4. As per the prosecution case, the co-accused Lakshman Kumar is alleged to have assaulted on the head of the informant with iron rod causing injury and the petitioners looted articles from her house worth Rs. one lakh.



5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioner no. 1 is the father and the petitioner no. 2 is the mother of the co-accused Lakshman Kumar. The specific allegation of assault is against the co-accused Lakshman Kumar. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

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

7. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation, 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 the learned court concerned, Patna City in connection with Khusrupur P.S. Case No. 228 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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