

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77641 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- HATHUA District- Gopalganj

1. Leelawati Devi W/o Chandrabhan Tiwary R/o vill - Bariishar, P.S. - Hathua, Distt. - Gopalganj
2. Kishuni Devi @ Kushun Devi W/o Subhsh Tiwary R/o vill - Bariishar, P.S. - Hathua, Distt. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioners, learned A.P.P.
for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 325 and 307/34 of the Indian Penal Code.

3. As per the F.I.R., allegation against the petitioners to assault the informant.

4. It is submitted by learned counsel for the petitioners 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. There is no specific overt act against the petitioners.



Petitioner no.1 is bhabhi and Petitioner no. 2 is mother of the informant. It is admitted land dispute between the parties. Allegation against the co-accused, Chandrabhan Tiwary. Petitioners have one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail of the petitioners.

6. Having regard to the facts and circumstances of the case, as there is no 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 Hathua P.S. Case No. 147 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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