

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81407 of 2023

Arising Out of PS. Case No.-119 Year-2023 Thana- YADOPUR District- Gopalganj

1. Rita Devi Son Of Radheshyam Ram Resident Of Village- Chatur Bagaha Nawada, Ps- Yudopur, Distt- Gopalganj
2. Shila Devi Wife Of Ganesh Ram Resident Of Village- Chatur Bagaha Nawada, Ps- Yudopur, Distt- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Prasad

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 341, 323, 307, 302/34 of the Indian Penal Code.

Prosecution case in nutshell is that while the husband of informant was filling up soil in his house, in the meantime, petitioners along with other co-accused persons, armed with spade and iron rod, came there and started abusing and assaulting him. When other family



members came to his rescue, they were also assaulted by co-accused persons. It is alleged that co-accused Ganesh Ram and Buniyad Ram assaulted the family members of the informant due to which they sustain head injuries and mother-in-law of the informant, namely, Kanti Devi became unconscious and succumbed to injuries in the course of treatment.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. There is case and counter case between the parties and both sides have sustained injuries as alleged in separate occurrence. There is no specific allegation against the petitioners rather the specific allegation of assaulting to informant's mother-in-law is levelled against co-accused Ganesh Ram and Buniyad Ram. Moreover, the petitioners are languishing in judicial custody since 29.05.2023. A statement has been made in para 3 of the petition that petitioners have



no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Yadopur P.S. Case No. 119 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge XII, Gopalganj.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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