

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4314 of 2024

Arising Out of PS. Case No.-50 Year-2023 Thana- BARACHATTI District- Gaya

1. GUDIYA DEVI @ GUDIYA KUMARI D/O. RAJDEV MISTRI @ RAJDEV VISHWAKARMA RESIDENT OF VILLAGE - JAIGIR, P.S. - BARACHATTI, DISTRICT - GAYA
2. HEMANTI DEVI WIFE OF RAJDEV MISTRI @ RAJDEV VISHWAKARMA RESIDENT OF VILLAGE - JAIGIR, P.S. - BARACHATTI, DISTRICT - GAYA
3. SONU KUMAR @ GAUTAM KUMAR SON OF RAJDEV MISTRI @ RAJDEV VISHWAKARMA RESIDENT OF VILLAGE - JAIGIR, P.S. - BARACHATTI, DISTRICT - GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan
For the Opposite Party/s : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioners as well as learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 342, 323, 379, 504, 506, 34 of the Indian Penal Code and 3/4 of Daain Act.

3. Allegedly, the petitioner no.3 snatched the motorcycle of the husband of the informant and took that to his house. When the husband of the informant along with others went to the house of the petitioner no.3 to ask about his vehicle, then all



the petitioners and other co-accused persons assaulted the informant's side and during the course of scuffle, the accused persons were calling the informant *daain*.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have been granted benefit of Section 41A of the Cr.PC and charge sheet has also been submitted against the petitioners. There is no allegation against the petitioners to tamper the evidence. Petitioners have no criminal antecedent, which is also mentioned in para-3 of the bail application.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, 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



court below where the case is pending/Successor Court in connection with Barachatti P.S. Case No.50 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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