

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6163 of 2024

Arising Out of PS. Case No.-164 Year-2023 Thana- DEV District- Aurangabad

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1. YOGENDRA SINGH SON OF YUTAN SINGH RESIDENT OF VILLAGE - KARAMDIH, P.S. - DEO, DISTRICT - AURANGABAD
 2. JIVRATAN SINGH @ JIWTARAN SINGH SON OF KULDIP SINGH RESIDENT OF VILLAGE - KARAMDIH, P.S. - DEO, DISTRICT - AURANGABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mukul Kumari, Adv.
For the Opposite Party/s : Mr.Md. Matloob Rab, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Learned counsel for the petitioners seeks permission
to withdraw this application on behalf of petitioner no. 1.

3. Permission is accorded.

4. Accordingly, this application is dismissed as
withdrawn in respect of petitioner no.1

5. Now, this application survives for petitioner no.2 only.

6. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
324, 307, 34 of the Indian Penal Code and Section 27 of the
Arms Act.



7. Allegedly, all the FIR named accused persons including this petitioner are said to have assaulted the informant with deadly weapons due to which he sustained injuries.

8. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. Petitioner has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner of assaulting the informant by means of *Gadasa* is totally false and based on concocted facts since he is aged about 75 years. There is specific allegation against co-accused Pintu Singh to assault the informant by means of pistol and sword due to which he sustained head injury. It is further submitted that daughter-in-law of petitioner no.2, namely, Juli Devi has lodged Deo P.S. Case No. 165 of 2023 against the informant and five others. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

9. Learned APP for the State opposes the prayer for bail.

10. Having regard to the facts and circumstances of the case as well as considering the age of petitioner no.2, the above named petitioner no.2, be released on bail, in the event of his 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) 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 Deo P.S. Case No. 164 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

11. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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