

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8050 of 2024

Arising Out of PS. Case No.-230 Year-2023 Thana- KATORIYA District- Banka

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1. ASHOK YADAV @ ASHOK KUMAR, S/O- PRAYAG YADAV, R/O- VILLAGE- BADWASNI, P.S.- KATORIYA, DIST.- BANKA.
 2. RUKMANI DEVI, W/O- ASHOK YADAV @ ASHOK KUMAR, R/O- VILLAGE- BADWASNI, P.S.- KATORIYA, DIST.- BANKA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Dhananjay Pandey, Advocate
For the State	:	Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-02-2024 Heard learned counsels for the parties.

2. At the outset, learned counsel appearing on behalf of the petitioners seeks permission to make corrections in the name of husband of Petitioner No. 2.

3. Permission is accorded.

4. Let the name of Petitioner No. 2 be read as
“*Rukmani Devi, W/o Prayag Yadav*”.

5. Office is directed to make the necessary changes in the computer records.

6. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 447, 323, 324, 307, 379, 504, 506, 302 and 34 of the Indian Penal Code.



7. As per prosecution case, all the accused persons, including these petitioners, assaulted the informant and others. Co-accused Tarni Yadav assaulted the informant by means of spade on his left ear. Co-accused Nevi Yadav assaulted the informant by means of axe, due to which the informant fell down. Thereafter, co-accused Ritlal Yadav and Arun Yadav assaulted Daho Yadav and Dhulo Yadav by means of iron rod

8. It is submitted by learned counsel appearing on behalf of the petitioners that so far as these petitioners are concerned, they are only alleged to have threatened the informant. There is no specific allegation of any over act against these petitioners. There is case and counter-case and Katoriya P.S. Case No. 201 of 2023 has been lodged by the family members of the petitioners against the informant and others for the same set of occurrence, which was lodged earlier in point of time. Petitioners claim clean antecedents.

9. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

10. Considering the aforesaid facts and circumstances, nature of accusation, case and counter-case and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.



11. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Katoriya P.S. Case No.230 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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