

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20813 of 2023

Arising Out of PS. Case No.-63 Year-2020 Thana- PUNPUN District- Patna

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1. Subhash Das Son Of Ramnath Das R/O Village- Nadpura P.S. Punpun, District- Patna
 2. Sushma Devi @ Puja Devi W/O Subhash Das R/O Village- Nadpura P.S. Punpun, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarandha Suman

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-01-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 447, 341, 323, 325, 307, 379, 504, 506/34 of the Indian Penal Code.

3. Petitioners along with other accused persons are said to have assaulted informant and his family members with lathi and bricks as a result of which the father of the informant sustained injury on his head.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is specific allegation against co-accused persons namely Kapil Das, Jhandu Das and Madan Das. He submits that there is no specific overt act against the petitioners. He submits that similarly situated co-accused has



already been granted bail by this Court vide order dated 30.08.2023 passed in Cr. Misc. No. 30168 of 2022. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

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

6. Considering the facts and circumstances of the case and the fact the petitioner no. 2 is female, let the above named petitioner no. 2 in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 court below where the case is pending/successor court in connection with Punpun P.S. Case No. 63 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. So far as petitioner no. 1 is concerned, there is specific overt act against him, I am not inclined to enlarge the petitioner no. 1 on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with the aforesaid case.

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(Anjani Kumar Sharan, J)

