

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 27348 of 2024

Arising Out of PS. Case No.-350 Year-2023 Thana- NOORSARAI District- Nalanda

1. SANJU DEVI W/O GANESH YADAV R/O VILLAGE- KISHUNPUR, P.S- NOORSARAI, DISTT.- NALANDA.
2. PAWAN KUMAR S/O GANESH YADAV R/O VILLAGE- KISHUNPUR, P.S- NOORSARAI, DISTT.- NALANDA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Samir Kumar Sinha, Advocate
For the Opposite Party/s : Mr Anil Kumar, APP

CORAM: HONOURABLE MR JUSTICE KHATIM REZA

ORAL ORDER

2 23-05-2024 Heard learned counsel for the petitioners and the learned Additional Public Prosecutor for the State.

2 The petitioners apprehend arrest in connection with Noorsarai PS Case No 350 of 2023 dated 23.07.2023 instituted under Sections 147, 149, 341, 323, 307, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

3 The allegation of assault is against co-accused Pankaj Kumar who fired upon Pradeep Kumar.

4 The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is submitted that there is no specific allegation against the petitioners rather the allegation is general and omnibus. It is further submitted that co-accused Ganesh Yadav



has been granted anticipatory bail by this Court vide Cr Misc No 875 of 2024. Learned counsel for the petitioners further submits that all five accused persons are father, mother and three sons. Both the sides are agnates. It is also submitted that petitioner No 1 has no criminal antecedent but petitioner No 2 has one criminal case against him.

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

6 Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners shall be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 01st Class, Nalanda at Biharsharif in Noorsarai PS Case No 350 of 2023 dated 23.07.2023 subject to the conditions as laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

7 The application stands allowed.

(Khatim Reza, J)

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