

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27426 of 2024

Arising Out of PS. Case No.-470 Year-2022 Thana- ATRI District- Gaya

1. Ankit Kumar Son Of Dinesh Yadav Resident Of Village - Bhaiya Bigha, P.S. - Atri, District - Gaya
2. Dolly Kumari Daughter Of Dinesh Yadav Resident Of Village - Bhaiya Bigha, P.S. - Atri, District - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Adv

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners apprehend their arrest in connection with Atri P.S.Case No. 470 of 2022 dated 10.11.2022 instituted for the offence punishable under Sections 147, 148, 149, 341, 323, 325,307, 379 of the Indian Penal Code.

3. The prosecution case, in short, is that the petitioners and other co-accused persons came at the door of the informant and started digging paver block. When the informant objected, they started assaulting the informant, his brother and wife which caused grievous injuries to them. The petitioner no. 1 alleged to have snatched the mobile phone where the petitioner no. 2 is



said to have thrown brick bat on the informants side along with others.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that there is no specific allegation of assault, rather, there is general and omnibus allegation against the petitioner. The specific allegation of assault is against co-accused Ganesh Yadav and Mahesh Yadav. The allegation against the petitioner no. 1 is that he snatched mobile phone and petitioner no. 2 is said to have pelted stone on the prosecution side. Learned counsel further submitted that other co-accused persons namely, Nitu Kumari, Manju Devi, Rita Devi and Shakuntla Devi have already been granted bail by this Court in Cr. Misc. No. 43745 of 2023, vide order dated 04.08.2023. The petitioner have clean antecedent.

5. Learned A.P.P for the State has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of the learned counsel for the parties, in the event of arrest/ surrender of the petitioners within a period of six weeks from today, in connection with Atri P.S.Case No. 470 of 2022, they shall be released on anticipatory bail upon



furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M, Gaya or appropriate Court Below, subject to condition as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Khatim Reza, J)

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