

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25021 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- GORAUL District- Vaishali

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1. Shambhu Bhagat Son Of Late Chalitra Bhagat Resident Of Village - Goraul, P.S. - Goraul, District - Vaishali
 2. Meena Devi Wife Of Shambhu Bhagat Resident Of Village - Goraul, P.S. - Goraul, District - Vaishali
 3. Krishna Devi @ Krishna Kumari Wife Of Mithlesh Kumar Resident Of Village - Goraul, P.S. - Goraul, District - Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv.
For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-05-2024 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable in connection with Goraol P.S. Case No.19 of 2024 under Sections 447, 323, 341, 354, 504, 506, 436 and 34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against three named accused persons (the petitioners) against whom there is allegation of threatening made by the informant. It has been specifically alleged that the petitioner No.1 has threaten to burn the house of the informant and in the night, the



fire took place in the informant's house and anyhow, the family of the informant saved their life.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the alleged threaten has been made by the petitioner No.1 and against rest two persons, there is no allegation at all.

5. Counsel further submits that the petitioners and the informant both are resident of same village and due to village petty dispute, the petitioners were falsely implicated in the present case. He submits that due to intervention of the well-wishers, both parties have decided not to pursue this matter and in support of their contention, a compromise petition has been filed.

6. Counsel also submits that petitioners' antecedent is clean.

7. Learned APP for the State opposes the prayer for bail and submits that the sections in which case has been lodged, are not compoundable.

8. In the present facts and circumstances, let the above named petitioner No.2 and 3 be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bonds



of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-I, Vaishali at Hajipur in connection with Goraol P.S. Case No.19 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. However, the bail application of petitioner No.1 is concerned, this Court is not inclined to grant anticipatory bail to the petitioner No.1, but hereby directs to the trial court to pass order on regular bail of the petitioner No.1 without prejudice to the rejection order of the anticipatory bail and consider his case specifically on merit preferably on the same day, the petitioner No.1 surrenders.

(Dr. Anshuman, J.)

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