

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29674 of 2024

Arising Out of PS. Case No.-160 Year-2023 Thana- MAHKAR District- Gaya

1. Punam Kumari Daughter of Virmani Yadav @ Virmani Prasad Resident of Village- Mirapur, P.S- Mahkar, Dist- Gaya
2. Sanjeev Kumar son of Virmani Yadav Alias Virmani Prasad Resident of Village- Mirapur, P.S- Mahkar, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Adv.
For the Opposite Party/s : Mr. Parmanand Prasad, APP
For the Informant/s :

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioners; learned
A.P.P. for the State as well as learned counsel for the informant.

2. The petitioners apprehend arrest in connection with Mahkar P.S. Case No. 160 of 2023 dated 21.07.2023, instituted for the offence punishable under Sections 341, 323, 324, 379, 307, 504, 325 and 506/34 of the Indian Penal Code.

3. As per the F.I.R., allegation against the petitioners is of assaulting the informant by means of *lathi*. When the informant's family members came to rescue him, then accused persons also assaulted them due to which they sustained grievous injury on their head and other parts of the body. It is



also alleged that they snatched gold ornaments from the possession of the informant's family members.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that both the petitioners are brother and sister. It is submitted that the present case has been lodged after 2 days of the occurrence. It is submitted that petitioner's father has lodged Mahkar P.S. Case No. 161 of 2023 against the informant's father and others as they tried to harass the petitioners and their family. It is also submitted that both the parties are *gotiyas* and the allegation against the petitioners is that they have assaulted the informant. Lastly, it has been submitted that they have no criminal antecedent.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners in connection with Mahkar P.S. Case No. 160 of 2023, 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 A.C.J.M.- Ist, Gaya, subject to



condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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