

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53590 of 2024

Arising Out of PS. Case No.-491 Year-2022 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Babita Devi Wife of Ramesh Pahak
 2. Shailendra Kumar Son of Ramesh Pathak Resident of Vill- Silaut, P.S.-
Muffasil, District- Samstipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 14-08-2024 1. Heard learned counsel for the petitioners as well as
learned APP for the State.

2. The petitioners seek bail in anticipation of their
arrest in a case registered for the offences punishable under
Sections 307, 348, 341, 323, 325 and 34 of the IPC in
connection with Muffasil P.S. Case No.491 of 2022.

3. The learned counsel for the petitioners submit that
petitioners are persons with clean antecedent. It is further
submitted that petitioners have been falsely implicated in the
instant case by the informant. It is next submitted that police
after threadbare investigation came to a considered conclusion



that petitioners are innocent, as such submitted final form exonerating them of the allegation, but then the learned Magistrate differing with the police report based on the same investigation took cognizance, as such petitioners apprehend arrest.

4. The learned counsel further submits that one investigating agency after threadbare investigation came to a considered conclusion that petitioners are innocent whether it would be prudent for this Court to send the petitioners to jail based on an order of cognizance which came to be taken based on the same investigation which exonerated the petitioners.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., 2nd Class, Samastipur in connection with Muffasil P.S. Case No.491 of 2022, subject to the conditions laid down under Section



438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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