

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53049 of 2023

Arising Out of PS. Case No.-12 Year-2023 Thana- BANMANKHI District- Purnia

1. BECHAN YADAV S/O RAGHU YADAV VILLAGE PIPRA WARD NO 3,
PS- BANMANKHI, DIST- PURNEA
2. RAGHU YADAV SON OF LATE YOGI YADAV VILLAGE PIPRA WARD
NO 3, PS- BANMANKHI, DIST- PURNEA
3. AMRIKA DEVI WIFE OF BECHAN YADAV VILLAGE PIPRA WARD
NO 3, PS- BANMANKHI, DIST- PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sandesh Roy, Adv.
For the Opposite Party/s : Mr.Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 30-01-2024 Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 147, 148, 149, 323 and 302 IPC.

3. The prosecution case in brief is that the F.I.R. named accused persons including the petitioners, in furtherance of their common intention, armed variously came at the door of the informant and started assaulting her mother-in-law with sticks, iron rods and khanti and when the informant and her husband wanted to save her, then the accused assaulted them. Mother-in-law of the informant died on the spot.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to old enmity.



It is submitted that it has come in several paragraphs of the case diary that the husband of the informant and witnesses have stated the name of Gurudev Yadav, who has assaulted the deceased on her head. There is general and omnibus allegation against the petitioners and the specific allegation to assault the deceased is against Gurudev Yadav, which fact has come in para-6 of the case diary and in the supervision report. Petitioners have no criminal antecedent.

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

6. Having regard to the facts and circumstances of the case, since there is no specific allegation against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Banmankhi P.S. Case No.12 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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