

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61343 of 2024

Arising Out of PS. Case No.-99 Year-2016 Thana- ASHTHAWAN District- Nalanda

1. Ganouri Yadav Son of Shivdani Yadav R/O Jahangirpur, P.S.- Asthawan, Dist.- Nalanda.
2. Nitu Devi Wife of Ganouri Devi R/O Jahangirpur, P.S.- Asthawan, Dist.- Nalanda.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party.

Appearance :

For the Petitioner/s : Mr. Amit Ranjan, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Asthawan P.S. Case No.99 of 2016 for the offences punishable under Sections 341, 323, 308 & 379/34 of the Indian Penal Code.

3. The petitioners are said to have assaulted the mother and father of the informant and when the informant made protest, she was assaulted by petitioner no.1 causing head injury to her and petitioner no.2 caught her hair, assaulted with fat and fist and also snatched golden Dholana of about Rs.50,000/-.

4. The petitioners are quite innocent and have been falsely implicated in this case due to previous grudge. The



allegations levelled against the petitioners is general and omnibus in nature.

5. From perusal of the impugned order, it appears that the petitioners are enjoying the privilege of Section 41 (1) Cr.P.C. It further appears that only summon has been issued against the petitioners, hence there is no apprehension of arrest.

6. Considering the facts and circumstances of case, petitioners are directed to surrender before the learned Court below within six weeks and seek regular bail and the learned Court below would pass order on the same day in accordance with law considering the judgment passed by the Hon’ble Supreme Court in the case of **Satendra Kumar Antil Vs. Central Bureau of Investigation and another** reported in **(2022) 10 SCC 51**.

7. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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