

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70144 of 2024**

Arising Out of PS. Case No.-46 Year-2024 Thana- SIDHWALIYA District- Gopalganj

1. Kalawati Devi Wife of Sudama Prasad Resident of village -Bucheya Mathiya, PS -Sidhwalia, Dist- Gopalganj
2. Vikash Kumar Son of Sudama Prasad Resident of village -Bucheya Mathiya, PS -Sidhwalia, Dist- Gopalganj
3. Jitendra Kumar Son of Late Kanhaiya Prasad Resident of village -Bucheya Mathiya, PS -Sidhwalia, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Saurabh Kumar, Advocate  
For the Opposite Party/s : Mr. Pranav Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

ORAL ORDER

2      04-10-2024              Heard learned counsel for the petitioners and learned A.P.P. for the State.

2.      The petitioners apprehend their arrest in connection with Sidhwaliya P.S. Case No. 46 of 2024 registered for the offences punishable under Sections 447, 341, 342, 323, 324, 325, 307, 354, 379, 504, 506/34 of the Indian Penal Code.

3.      Prosecution case in short is that Sunaina Devi was running her shop with her son Sonu Kumar as usual, the accused suddenly came to her shop and attacked her. Her son was caught by Shivshankar Prasad with the intention to kill him and then he was hit on the head with 'Daab' by Pappu Kumar due to which



her son badly injured and when she went to save him, she was strangled by petitioner No.3. All the accused have beaten the informant and her son, injured and stripped the informant and ran away with Rs. 4500/- from the informant's hotel wallet.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. It is submitted that there is no specific allegation alleged against these petitioners, rather allegation is general and omnibus in nature. Petitioner Nos.1 & 2 have clean antecedent while petitioner No.3 bears one criminal antecedent. It is submitted that other co-accused on which specific allegation was levelled have been enlarged on regular bail by this Court *vide* order dated 02-05-2024, passed in Cr. Misc. No. 33463 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs.10,000/-  
(Rupees Ten Thousand) 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 Sidhwaliya  
P.S. Case No. 46 of 2024, subject to the conditions as laid down  
under Section 438 (2) of the Cr.P.C.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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