

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78951 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- KADWA District- Katihar

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1. Mithilesh Sharma, Son Of Shiv Narayan Sharma, Resident Of Village- Dokhara, P.S.- Kadwa, District- Katihar
 2. Meera Devi, Wife Of Mithilesh Sharma, Resident Of Village- Dokhara, P.S.- Kadwa, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Balkrishna Mishra, Advocate
For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioners and Mr.Dilip Kumar No. 1, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Kadwa P.S. Case No. 132 of 2024 instituted for the offence under Sections 341, 323, 325, 307, 504, 506, 34 of the Indian Penal Code.

3. The case of the prosecution is that petitioners along with others started abusing the informant and pelting stones on the house of the informant. After that, it is alleged that Mithilesh Sharma (petitioner no.1) took the informant to his door and assaulted with bamboo on his head. The allegation against the petitioner no.2 is that she assaulted with iron rod on head of the one Deepak Kumar Mistry.



4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. There is also a counter version of this case and in that case the petitioners have also received injuries. From perusal of the injury report of the victims of this case, it transpires that the nature of injury is simple. Petitioners are having criminal antecedent of one case in which they are on bail.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Kadwa P.S. Case No. 132 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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