

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78536 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- VIJAYEPUR District- Gopalganj

1. Pintu Prasad, Son of Gopal Prasad, Resident of Village-Sahuchak, P.S. - Sripur, District - Gopalganj
2. Maina Devi, wife of Triloki Prasad, Resident of Village-Sahuchak, P.S. - Sripur, District - Gopalganj
3. Deepak Prasad, Son of Triloki Prasad, Resident of Village-Sahuchak, P.S. - Sripur, District - Gopalganj
4. Rekha Devi, Wife of Prakash Prasad, Resident of Village-Sahuchak, P.S. - Sripur, District - Gopalganj

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 29-11-2024 Heard learned counsel for the petitioners and Mr. Binod Kumar, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Vijaypur P.S. Case No.26 of 2024 instituted for the offence under Sections 341, 323, 324, 307, 354(B)/34 of the Indian Penal Code.

3. The case of the prosecution is that the petitioners along with others arrived at the house of the informant. Pradeep Prasad, Deepak Prasad and Janardhan Prasad tried to pull her



with ill will. When the informant tried to rescue herself, these three accused persons assaulted the informant with *lathi-danda* and *farsa*. When she raised alarm, her uncle Prabhunath Thakur and aunt Guddan Devi arrived. They were also assaulted by the accused persons. The allegation to assault is against three accused persons, namely, Pradeep Prasad, Deepak Prasad and Janardhan Prasad. Petitioner no.3 is Deepak Prasad. The allegation against other petitioners is general and omnibus.

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 due to previous land dispute. From perusal of the order of the trial Court, it is clear that Prabunath Thakur has received sharp cut injury whereas Guddan Devi, the aunt of the informant has received hairline fracture of 4th Rib of right side. The allegation to assault Guddan Devi is not specific, it is general. Petitioners are having no criminal antecedent.

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 Vijaipur P.S. Case No. 26 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 J.M. 1st Class, Gopalganj, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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