

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81606 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- AAYAR District- Bhojpur

-
1. Ashok Kumar @ Ashok Yadav @ Ashok Singh S/O Late Dinanath Yadav R/o Village- Barnaw, P.S- Ayar, District- Bhojpur
 2. Dhanwanto Kunwar W/O Late Dinanath Yadav R/O Vill.- Maldah, Ward no.- 13 , P.S- Hasanpur, Dist.- samastipur
 3. Chinta Devi W/o Ashok Kumar @ Ashok Yadav R/O Vill.- Maldah, Ward no.- 13 , P.S- Hasanpur, Dist.- samastipur
 4. Phoola Devi @ Neera Devi W/o Tuntun Yadav R/O Vill.- Maldah, Ward no.- 13 , P.S- Hasanpur, Dist.- samastipur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ritesh Verma, Advocate
For the State : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 04-12-2024 Heard Ld. counsel for the petitioners and Ld. APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Ayar PS. Case No.49 of 2024, registered for the offences punishable under Sections 115, 117(2), 126(2), 303(2) and 109/3(5) of the Bharatiya Nyay Sanhita, 2023.

3. The prosecution case as emerging from the FIR is that the accused Petitioner, Ashok Yadav and Tuntun Yadav have assaulted the victim/husband of the Informant causing injury on



his head and leg.

4. Ld. counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. He further submits that there is no specific allegation against the lady Petitioners.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the direct allegation against Ashok Kumar Yadav (Petitioner No.1) that he has caused head injury to the victim with iron rod, his **bail petition is rejected**. However, considering the general and omnibus nature of allegation against the lady Petitioner Nos. 2, 3 & 4 namely, Dhanwanto Kunwar W/o Late Dinanath Yadav, Chinta Devi W/o Ashok Kumar @ Ashok Yadav and Phoola Devi @ Neera Devi W/o Tuntun Yadav, **their bail petition is allowed**, directing the petitioners Dhanwanto Kunwar, Chinta Devi and Phoola Devi, to be enlarged on bail, in the event of their arrest or surrender before



the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. A.C.J.M.-VIIIth, Ara, in connection with Ayar PS. Case No.49 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

Chandan/-

U		T	
---	--	---	--

