

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82036 of 2023

Arising Out of PS. Case No.-83 Year-2023 Thana- FESHAR District- Aurangabad

1. NITU DEVI wife of Dipak singh Village- Moula Nagar Ps- Fesar Dist- Aurangabad
2. Govind Singh son of Late Ramraj Singh Village- Moula Nagar Ps- Fesar Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. Learned counsel for the petitioners undertakes to remove the defect (s) during course of the day.

3. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 325, 341, 354, 307 & 447/504 of the Indian Penal Code.

4. The petitioners in association of other co-accused is said to have assaulted the informant and his son. Due to assault the informant sustained fractured in his hip and they were treated at Sadar Hospital, Aurangabad.

5. It is submitted by learned counsel for the petitioners that no



such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that allegations under Section 354 IPC was not made out as there was no allegation of any outraging the modesty of any female. It is further submitted that a land dispute is going on between the parties and due to which this false and fabricated case has been lodged against the petitioners. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

6. Learned APP for the State opposed the prayer for bail.

7. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Fesar P.S. Case No.83 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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