

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79471 of 2023

Arising Out of PS. Case No.-665 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

1. Dinesh Kumar Gond @ Dinesh Gond Son Of Radhey Shyam Gond @ Sanjay Prasad Gond Resident Of Village- Jaipur Bhadawaliya, P.O. Pipariya, P.S. Pipariya, District- Kaimur At Bhabhua.
2. Bangali Gond @ Abhishek Kumar Gond Son Of Radhey Shyam Gond @ Sanjay Prasad Gond Resident Of Village- Jaipur Bhadawaliya, P.O. Pipariya, P.S. Pipariya, District- Kaimur At Bhabhua.
3. Radhey Shyam Gond @ Sanjay Prasad Gond Son Of Late Bodhi Gond Resident Of Village- Jaipur Bhadawaliya, P.O. Pipariya, P.S. Pipariya, District- Kaimur At Bhabhua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Neerad Parashar
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-01-2024 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Mohania P.S. Case No. 665 of 2023 dated 17.09.2023 registered for the offences punishable under Sections 341, 323, 307, 354, 379 and 504 read with 34 of the Indian Penal Code.



4. As per the prosecution case, the petitioners armed with *lathi*, axe and iron rod assaulted the husband of the informant causing injury on his head and other parts of his body. When the informant came to rescue, the petitioners holding her hair started dragging her. Thereafter, the petitioner No. 1 holding her waist pulled her down and tore her blouse and snatched away her *mangalsutra*.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. There is general and omnibus allegation against the petitioners. Learned counsel has submitted that all the injuries are simple in nature.

6. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the injuries being simple in nature, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned,



Kaimur at Bhabhua in connection with Mohania P.S. Case No. 665 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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