IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85829 of 2024

Arising Out of PS. Case No.-173 Year-2024 Thana- GOPALPUR District- Gopalganj

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1. Shokha Baitha @ Sokha Baitha S/O Late Nakched Baitha R/O Village- Chhatar Patti, P.S.- Gopalpur, District- Gopalganj
2. Yogesh Baitha @ Yugesh Baitha S/O Sokha Baitha R/O Village- Chhatar Patti, P.S.- Gopalpur, District- Gopalganj
3. Savita Devi W/O Chandan Baitha R/O Village- Chhatar Patti, P.S.- Gopalpur, District- Gopalganj
4. Mandodari Devi @ Mandodara Devi W/O Sokha Baitha R/O Village- Chhatar Patti, P.S.- Gopalpur, District- Gopalganj
5. Aanhi Kumari @ Anni Kumari D/O Sokha Baitha R/O Village- Chhatar Patti, P.S.- Gopalpur, District- Gopalganj
6. Manisha Kumari @ Anisha Kumari D/O Rajkishor Baitha R/O Village- Chhatar Patti, P.S.- Gopalpur, District- Gopalganj
7. Sinki Kumari D/O Rajkishor Baitha R/O Village- Chhatar Patti, P.S.- Gopalpur, District- Gopalganj

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Javed Aslam, Adv.
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

2 16-12-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109(1), 352, 351(2), 3(5) of the B.N.S., 2023.

3. Allegedly, all the FIR named accused persons including the petitioners along with some unknown persons are said to

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have assaulted the informant's side brutally by means of *lathi-danda* and also pelted bricks and stones upon them due to which they have sustained injuries.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. They have falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. Both the parties are agnates and there is admitted land dispute between them. Both sides have sustained injuries and filed cases against each other. Nothing specific has been attributed against the petitioners. The injuries sustained by the informant's side were found simple in nature. Learned counsel further submits that petitioner nos. 1 & 3 to 7 have no criminal antecedent, whereas petitioner no.2 has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case as well as the nature of the injuries sustained by the informant's side, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below

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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 Gopalpur P.S. Case No.173 of 2024, subject to the condition as laid down under Section 482 (2) of the B.N.S., 2023.

(Anjani Kumar Sharan, J)

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