

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2111 of 2024

Arising Out of PS. Case No.-254 Year-2023 Thana- GOPALPUR District- Gopalganj

1. Anju Kumari @ Anju D/o Surendra Singh R/o vill - Adhmoli, Sangwadih, P.S. - Gopalpur, Distt. - Gopalganj
2. Chandmati Devi W/o Surendra Singh R/o vill - Adhmoli, Sangwadih, P.S. - Gopalpur, Distt. - Gopalganj
3. Manager Singh Son of late Bacchan singh R/o vill - Adhmoli, Sangwadih, P.S. - Gopalpur, Distt. - Gopalganj
4. Jeeta Bhagat @ Jeeta kushwaha Son of Late Bishun Bhagat R/o vill - Adhmoli, Sangwadih, P.S. - Gopalpur, Distt. - Gopalganj
5. Nagendra Kushwaha Son of Jeeta Bhagat @ Jeeta Kushwaha R/o vill - Adhmoli, Sangwadih, P.S. - Gopalpur, Distt. - Gopalganj
6. Surendra Singh Son of Late Bacchan Singh R/o vill - Adhmoli, Sangwadih, P.S. - Gopalpur, Distt. - Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Adesh Raj Singh, Adv.

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-01-2024 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 a case in connection with Gopalpur P.S. Case No. 254 of 2023



dated 09.10.2023 registered for the offences punishable u/ss 341, 323, 324, 325, 307, 504 and 506 read with section 34 of the Indian Penal Code.

4. As per the prosecution case, when the informant was making foundation on the land, in the meantime, the petitioners and the co-accused persons came and started abusing and when the informant objected, all the accused persons came to his door and assaulted him with danda and iron rod due to that he sustained broken injury on his hand. When his family members came to rescue, all the accused also assaulted them.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is case and counter case between the parties. The petitioner no. 1 and 2 are ladies. There is general and omnibus allegation against the petitioners. There is land dispute between the parties. As per annexure-3, the injury no. 3 is grievous in nature which is on the non-vital part of the body and the rest injuries are simple in nature caused by hard and blunt substance. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

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



7. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on 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, Gopalganj in connection with Gopalpur P.S. Case No. 254 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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