

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5331 of 2025

Arising Out of PS. Case No.-363 Year-2024 Thana- AMARPUR District- Banka

1. Priyanka Devi Wife of Rahul Yadav, Resident of Village - Baja, P.S. - Amarpur, District - Banka
2. Reshmi Devi Wife of Shekhar Yadav, Resident of Village - Baja, P.S. - Amarpur, District - Banka
3. Anita Devi Wife of Charitra Yadav, Resident of Village - Baja, P.S. - Amarpur, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Mishra, Advocate
For the State : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-02-2025 Heard Ld. counsel for the petitioners and Ld. APP for the State.

2. The petitioners seek bail, apprehending their arrest, in connection with Amarpur P.S. Case No. 363 of 2024 dated 08.06.2024, registered for the offences punishable under Sections 341, 323, 308, 354, 325, 379, 504 and 506/34 of the Indian Penal Code.

3. As per allegation, the informant and her husband have been assaulted by the petitioners and co-accused Rahul Yadav, causing simple injury to the informant and her husband.

4. Ld. counsel for the petitioners submits that the



Petitioners are innocent and have falsely been implicated in this case. He further submits that on account of land dispute, there was altercation between both sides, resulting into the injury on both the sides and a case and counter case have been filed by both the sides. The counter case filed by the petitioners side is Amarpur P.S. Case No. 361 of 2024 dated 08.06.2024, registered for the offences punishable under Sections 341, 323, 308, 354, 325, 379, 504 and 506/34 of the Indian Penal Code.

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 bail petition that the petitioners have no criminal antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the case and counter case and injury on both sides, **this petition is allowed**, directing the petitioners, above-named, 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. C.J.M., Banka, in connection with Amarpur P.S. Case No. 363 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 antecedent, 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.)

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