

Court of Sessions Judge, Jamui.
A.B.P.No.1891/2022

- 26.11.2022
1. This is an anticipatory bail petition filed on behalf of petitioners namely **1. Karu Yadav, 2. Pinki Devi, 3. Khiriya Devi @ Champa Devi, 4. Suma Devi @ Sunita Devi and 5. Dukho Kumari @ Sevki Kumari** anticipating their arrest in connection with **Simultalla P.S.Case No.08/2018 U/s. 147,148,149,342,323,342,307,379,504,506,and 448 of the I.P.C.** pending in the court of **Sri. Pranav Kumar, J.M. 1st Class, Jamui.**
 2. Heard Sri Mahesh Kumar Barnwal, the learned counsel for the petitioners and the learned P.P. for the State.
 3. The submission for is that the petitioners are quite innocent, and have not committed any offence. They have been falsely implicated in this case due to land dispute, and allegation as alleged against the petitioners are totally false and concocted. All sections are bailable, except section 379 and 307 I.P.C., which are not made out against the petitioners. There is no specific allegation against the petitioners. It has been further submitted that after investigation of the case, the I.O. has not sent up these accused/petitioners for trial, but the learned court below has taken cognizance against these accused/petitioners too.
 4. The learned P.P. has opposed the prayer for anticipatory bail.
 5. Perused the record, and case diary. It appears that the petitioners are named in the F.I.R. According to the F.I.R., co-accused persons namely Sintu Yadav, and Jado Yadav have assaulted on head of informant by Tangi. According to the injury report, two cut injury was found on head of informant, but doctor has not found any grievous injury over body of informant. On perusal of case record, it appears that these accused/petitioners had been not sent up by the I.O. for trial but the Learned Court below has taken cognizance against these accused/petitioners. On perusal of case record it also transpires that on similar allegation, the other co-accused persons namely Kamli Devi and Usha Devi have been granted anticipatory bail by this court vide A.B.P. No. 943/2018 dated 08.08.2018 and the case of these accused/petitioners is on similar footing.
 6. In the facts and circumstances of the case discussed above, I am of the opinion that this is a fit case for grant of regular bail. Accordingly,

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accused/petitioners are directed to surrender before court below and seek regular bail and on that event the court below will keep this fact in his mind that after investigation, the accused/petitioners had not been sent up by the I.O. for trial and other co-accused persons bearing similar allegations, have been granted anticipatory bail by this court vide A.B.P. No. 943/2018 dated 08.08.2018. **Accordingly, this anticipatory bail application is disposed off.**

(Dictated)

Sessions Judge, Jamui.

Rajesh Ghosh

Steno to D.J.Jamui.