

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7064 of 2015

Arising Out of PS.Case No. -360 Year- 2014 Thana -SHERGHATI District- GAYA

- =====
1. Ruby Devi W/o Raju Yadav
 2. Dhaneshwari Devi W/o Chalitar Yadav
 3. Chalitar Yadav S/o Late Gangoo Yadav All resident of village - Acchama, P.O. Chilim, Police Station - Dobhi, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate.

For the Opposite Party/s : Mr. M.K. Khare(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-02-2015 Heard both sides.

The petitioners apprehend their arrest in Sherghatti (Dhobi) P.S. Case No. 360 of 2014, registered for the offences punishable under Sections 341, 323, 325, 308, 506, 504 and 379 of the Indian Penal Code.

Allegation against the petitioner that Ruby Devi and Dhaneshwari Devi abused the informant Daulati Devi. Raju Yadav is alleged to have assaulted the informant with Khanti and petitioner no. 3 Chalitar Yadav assaulted the informant with Lathi on her hand causing fracture injury in the hand of the informant.

Learned counsel for the petitioners submits that at best offence under Section 325 of the Indian Penal Code is made out, but there is no allegation of assault against Ruby Devi and Dhaneshwari

Devi.

Learned counsel for the informant however opposed the prayer for anticipatory bail of the petitioners.

Considering the facts aforesaid and the fact that that there is no allegation against petitioner nos. 1 and 2 Ruby Devi and Dhaneshwari Devi, accordingly, they, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Learned Sub-Divisional Judicial Magistrate, Sherghati, Gaya in connection with Sherghatti (Dhobi) P.S. Case No. 360 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

So far as the case of petitioner no. 3 Chalitar Yadav is concerned, he is alleged to have assaulted the informant with Lathi causing fracture injury on her hand hence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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