

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27274 of 2015

Arising out of PS.Case No. -42 Year- 2015 Thana -VAISHALI District- VAISHALI(HAJIPUR)

- 1. Chandeshwar Das, S/o Late Ram Sharan Das.
- 2. Ful Kumari Devi, W/o Chandeshwar Das.
- 3. Babita Devi, W/o Mukesh Das. All are residing at village - Shahjahanpur, P.S. + District – Vaishali.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

Appearance :

For the Petitioners : Mr. Vijay Kumar @ Vijay Kr. Singh, Advocate.

For the Opposite Party : Mr. B.M.P.Sinha(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH  
ORAL ORDER

3 09-09-2015 Heard learned counsels for the petitioners, informant and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Vaishali P.S. Case No. 42 of 2015 for the offences instituted under Sections 147, 148, 149, 447, 441, 302, 504 and 506 of the IPC.

The prosecution story, in brief, is that on 08.02.2015 while the informant’s husband was at his door, in the meantime, the petitioners alongwith other c-accused persons came there and abused the informant’s husband and accused Triveni Singh gave order to kill the deceased, all the petitioners alongwith other co-

accused persons assaulted the deceased with fists and slaps, danda due to which the informant's husband became unconscious and fell down on the ground. Thereafter, the family members of the informant brought her husband to the clinic of doctor for treatment but the doctor declared him dead. The cause of occurrence as stated in the F.I.R. is land dispute.

It has been submitted on behalf of the petitioners that the petitioners have no criminal antecedent. It is further submitted that the general and omnibus allegation has been made against the petitioners. No specific injuries have been attributed against the petitioners. It is further submitted that the petitioner nos. 2 and 3 are the ladies.

On behalf of the State and the informant it has been submitted that the petitioners have actively participated in the alleged occurrence and are named in the F.I.R.

So far as the petitioner no. 1 Chandeshwar Das is concerned, I am not inclined to grant anticipatory bail to him. The same is rejected.

So far as petitioner no. 2 Ful Kumari Devi and petitioner no. 3 Babita Devi are concerned, let them be released on bail in the event of their arrest or surrender before the learned court below within a period of four weeks from today in

connection with Vaishali P.S. Case No. 42 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

(Sudhir Singh, J)