

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39280 of 2015

Arising Out of PS.Case No. -185 Year- 2013 Thana -ATRI District- GAYA

1. Lalita Devi W/o Ravindra Rajbanshi,
2. Puni Devi W/o Suchit Rajbanshi, both resident of village- Jamunapur,
P.S.- Atri, District- Gaya.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 28-09-2015 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises
out of Atri P.S. Case No. 185 of 2013, disclosing offences under
Section 302/34 of the Indian Penal Code.

Learned counsel appearing on behalf of the
petitioners submits that on the basis of the allegation as contained
in the First Information Report, no offence under Section 302 is
made out against these petitioners, who are ladies. He contends
that there is specific allegation of assault against one Suchit
Rajbanshi leading to death of the deceased. He contends that this
is the exceptional circumstance in which, though the petitioners

are accused in a case under Section 302 deserve to be granted the privilege of anticipatory bail.

I find substance and the submission made on behalf of the petitioner, this application is accordingly allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Gaya in connection with Atri P.S. Case No.185 of 2013, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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