

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45331 of 2015

Arising Out of PS.Case No. -89 Year- 2015 Thana -MANJHI District- SARAN

- =====
1. Kaushalya Devi @ Shushila Devi W/o Chandrika Yadav @ Chandrika Rai,
 2. Santosh Rai, S/o Chandrika Yadav @ Chandrika Rai,
- Both are resident of village- Sonbarsa, P.s.- Manjhee, District- Saran at
Chapra Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh

For the Opposite Party/s : Mr. Pushpa Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 03-11-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 341, 323, 324, 307 and 504 of the Indian Penal Code. Subsequently, section 302 of the IPC was also added.

The prosecution case is that for dispute with regard to tying of calf the accused persons came variously armed when Chandrika Yadav assaulted with iron pipe on the head of the father of the informant and Tuntun Rai assaulted

repeating with sword on the head and eye of the father of the informant. Petitioner no. 2 Santosh Rai and co-accused Asha Kumari assaulted with iron rod. Subsequently, the father of the informant succumbed to the injury. It is alleged against petitioner no. 1 that she snatched gold chain from the informant.

It is submitted by learned counsel for the petitioners that similarly situated accused Asha Kumari has been granted regular bail vide Cr. Misc. No. 39652 of 2015.

Considering the nature of accusation, this Court is not inclined to grant anticipatory bail to petitioner no. 2 Santosh Rai. Let the learned court below consider the prayer for regular bail of petitioner no. 2 keeping in view of the fact that co-accused has been granted regular bail.

So far as petitioner no. 1 is concerned, since there is no specific accusation of making assault by her, she being a lady and there is counter version of the occurrence, let the above named petitioner no. 1 be released on anticipatory bail in the event of her arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class,

Saran at Chapra in connection with Manjhi P.S. Case No. 89 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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