

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55736 of 2015

Arising Out of PS.Case No. -99 Year- 2015 Thana -LODIPUR District- BHAGALPUR

- =====
1. Indu Devi W/o Kamal Kishore Pandit,
 2. Kamal Kishore Pandit, Son of Brehaspati Pandit, Both residents of village - Agarpur Dhuria, Police Station - Lodipur, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mauli Prasad Singh

For the Opposite Party/s : Mr. A.M.P.Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-12-2015

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 323, 315, 341, 354/34, 447, 504 of the Indian Penal Code.

The prosecution case is that for a petty dispute for keeping the she-goat on a particular land the petitioners dragged the informant and thereafter, on the order of co-accused Makuni Pandit, petitioner No. 2 Kamal Kishore Pandit assaulted the informant, as a result the pregnancy of the informant got terminated.

It is submitted by learned counsel for the petitioners that accusation of dragging or assaulting is only against petitioner No. 2 and for a petty dispute the accusation has been levelled. It is further submitted that for the occurrence of 05.09.2015 the First Information Report was registered on 16.09.2015.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, let the petitioner No.1, above named, in the event of her arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhagalpur in connection with Lodipur P.S. Case No. 99 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Since there is specific accusation of assault against petitioner No. 2, let learned Court below consider the prayer for regular bail of petitioner No. 2, if he surrenders within a period of six weeks in connection with Lodipur P.S. Case No. 99 of 2015, pending in the Court of learned Judicial Magistrate, 1st Class, Bhagalpur.

Accordingly the application with regard to petitioner No. 2 stands disposed of.

(Dinesh Kumar Singh, J)

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