

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7312 of 2015

Arising Out of PS.Case No. -210 Year- 2014 Thana -KAHALGAON District- BHAGALPUR

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1. Shankar Prasad Chaudhary @ Shankar Chaudhary S/o Raghu Nandan Chaudhary
2. Anita Kumari @ Anita Devi @ Sunita Devi Both are resident of Mohalla - Kahalgaon Babu Tola (Patnanpura), P.s. - Kahalgaon, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 27-02-2015 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Kahalgaon P.S. Case No. 210 of 2014 registered under Sections- 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code.

It appears from perusal of the first information report that on account of petty matter, an altercation took place between the parties and both parties sustained injury in the aforesaid altercation and, thereafter, both parties lodged cases against each others but there is specific allegation against petitioner No. 1 that he assaulted the informant with dagger. One of the injuries of the informant was found grievous in nature. So far as petitioner No. 2 is concerned; it is stated that she assaulted the wife of informant

by iron rod but all injuries of wife of the informant were simple in nature.

Taking into consideration the above-said facts and circumstances as well as submission of the parties, petitioner No. 2 namely, Anita Kumari @ Anita Devi @ Sunita Devi, in the event of arrest or surrender in the court below within four weeks from today, shall be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Kahalgaon P.S. Case No. 210 of 2014 to the satisfaction of Chief Judicial Magistrate, Bhagalpur subject to conditions as laid down u/S 438(2) of the Cr. P.C.

So far as petitioner No. 1 namely, Shankar Prasad Choudhary @ Shankar Choudhary is concerned; his prayer for anticipatory bail stands rejected.

However, if, the petitioner No. 1 surrenders in the court below within four weeks from today and seeks regular bail, this order shall not cause any prejudice to the learned court below at the time of consideration of regular bail application of the petitioner No. 1.

(Hemant Kumar Srivastava, J)

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