

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36028 of 2014

Arising Out of PS.Case No. -263 Year- 2013 Thana -BAKHTIYARPUR District- PATNA

- =====
1. Urmila Devi W/O Chando Yadav
 2. Sharda Devi W/O Dilip Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap

For the Opposite Party/s : Mr. M.Rub(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 15-04-2015 Heard learned counsel for the petitioners as well as

learned counsel for the State.

In this application for anticipatory bail the petitioners apprehend their arrest for the offences punishable under sections 307, 448, 341, 323/34 and 302 of the I.P.C.

When the informant, her mother and sister were at her house, allegedly the petitioners along with three others came there, abused and caught her hairs and assaulted her and when her sister Khushbu Kumari came for rescue then all the accused persons assaulted her with fists and slaps as well as with butt portion of the pistol brutally. Thereafter his sister Khushbu Kumari was taken to Bakhtiyarpur Hospital for treatment and later on she succumbed to the injuries.

Submission is of false implication and that there is no

direct and specific allegation against them. All the allegations are general and omnibus in nature. The petitioners have got no criminal antecedents and as such they being the ladies deserve sympathetic consideration, to which the learned A.P.P. opposes.

Considering the allegation attributed that all the accused persons assaulted Khushbu Kumari brutally and as such finding it not a fit case for pre-arrest bail, prayer for pre-arrest bail of the petitioners is hereby rejected in connection with Bakhtiyarpur P.S. Case No. 263 of 2013 pending in the court of A.C.J.M. Barh, Patna.

However, in case and if so advised, they surrender and seek regular bail then their prayer for regular bail shall be considered on the same day on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J)

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