

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4871 of 2015

Arising Out of PS.Case No. -197 Year- 2014 Thana -CHARIABARIYARPUR District-
BEGUSARAI

- =====
1. Ramjee Mahton S/O Late Banarsi Mahton
 2. Geeta Devi W/O Sri Ramjee Mahton
 3. Jitendra Kumar@Jitendra Kumar Mahton S/O Sri Ramjee Mahton
- All Resident of vill-Pawra,P.S-Cheria Bariyarpur,Distt.-Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh
For the Opposite Party/s Mr. Sharda Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 05.02.2015 Heard learned counsel for the petitioners as well as learned
Addl. Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Cheria
Bariyapur (Manjhaul) P. S. case no. 197/2014 registered under
sections 341, 323, 506, 307/34 of the IPC.

There is allegation against petitioner no.3 that he gave blow
of pistol on the head of the informant and so far as petitioner no.1 is
concerned, it is stated that he assaulted the informant with **lathi**. There
is no allegation of assault against petitioner no.2.

The impugned order of learned Sessions Judge as well as
annexure 3 to this petition reveals that altogether five injuries were
found on the person of the informant and out of the aforesaid two
injuries, opinion regarding two injuries have been kept reserved.

Considering the aforesaid facts and circumstances as well as

submissions of the parties, this anticipatory bail petition in respect of petitioner no.2 is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let petitioner no.2, namely, Geeta Devi, be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Begusarai in Cheria Bariyapur (Manjhaul) P. S. case no. 197/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

So far as petitioner nos.1 and 3, namely, Ramjee Mahton and Jitendra Kumar @ Jitendra Kumar Mahton are concerned, they are directed to surrender before the Chief Judicial Magistrate, Begusarai/ concerned court within four weeks from today and seek regular bail and if the above stated petitioners do so, the concerned court shall consider regular bail application of the petitioners on the same day and pass appropriate order on the regular bail application of the petitioners. It is made clear that if the concerned court finds nature of the injuries sustained by the informant's father simple, then petitioners shall be released on bail by the concerned court on the same day and if nature of the injuries is found otherwise, the concerned court shall pass appropriate order on regular bail application of the petitioners.

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(Hemant Kumar Srivastava,J)

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