

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10753 of 2016

Arising Out of PS.Case No. -503 Year- 2015 Thana -TEKARI District- GAYA

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1. Sindhu Devi, Wife of Dharmendra Prajapati.
 2. Ranju Devi, Wife of Umesh Prajapati Both Resident of Village-Gopalpur, Police Station- Tekari, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Advocate

For the Opposite Party/s : Mr. Navin Kr.Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 27-04-2016 Heard learned counsel for the petitioners, learned A.P.P. representing the State and learned counsel for the informant.

The petitioners seek bail in connection with Tekari P.S. Case No. 503 of 2015 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 504, 307 and 302 of the Indian Penal Code.

Allegedly, in the occurrence co-accused Dharmendra Prajapat started assaulting Ram Pravesh Yadav with *Lathi* and *Danda* and when Sumitra Devi and Ramchandra Yadav came for rescue then Umesh Prajapat, Rajendra Prajapat, the petitioners and Urmila Devi being armed with *Lathi* and *Danda* came and started



assaulting them, resulting Sumitra Devi received head injury and Dharmendra Prajapat and others pressed the hydrosil of Ramchandra Yadav and also pressed his neck resulting Ramchandra Yadav fell down and when he was brought at Tekari Hospital, he was declared dead and Sumitra Devi was referred to NMCH, Gaya.

Submission is of false implication and that in the First Information Report there is no specific allegation against the petitioners, they are in custody with their kids, the occurrence has taken place due to trivial dispute and, as such, the petitioners who are suffering in custody since 15.12.2015 deserve sympathetic consideration to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes by submitting that during investigation witness Ram Pravesh Yadav has specifically stated that the petitioners and co-accused Urmila Devi caught and pressed the hydrosil.

In the facts and circumstances stated above, considering that petitioners are ladies, there is no criminal antecedent against them, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioners, above named, are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten

thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gaya in connection with Tekari P.S. Case No. 503 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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