

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2520 of 2016

Arising Out of PS.Case No. -179 Year- 2015 Thana -DUMRA District-
SITAMARHI

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1. Prabhu Sah, Son of Bindeshwar Sah.
2. Usha Devi, Wife of Prabhu Sah.
Both resident of Village - Kokana, P.S. - Dumra, District -
Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.

For the Opposite Party/s : Mr. Hirday Pd. Singh (A.P.P.)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 01-02-2016 Heard learned counsel, appearing on behalf the
petitioners, and learned Additional Public Prosecutor,
appearing on behalf of the State.

 This application for grant of anticipatory bail
arises out of Dumra P.S. Case No.179 of 2015, disclosing
offences under Sections 341, 323, 324, 307, 504 and
506/34 of the Indian Penal Code.

 Petitioner No.2, namely, Usha Devi, is the wife

of petitioner No.1, namely, Prabhu Sah. There is specific allegation of assault against petitioner No.1. The injuries sustained have been found to be grievous in nature, caused by sharp cutting weapon, which corroborates the prosecution version.

Considering the facts and circumstances, as above, this application, so far as petitioner No.1, namely, Prabhu Sah, is concerned, stands rejected.

Petitioner No.1 is directed to surrender before the court below within a period of four weeks from today and seek regular bail, if so advised. If he does so, the court below is directed to consider his application of regular bail on its own merit, without being prejudiced of rejection of present application for anticipatory bail.

So far as petitioner No.2, namely, Usha Devi, is concerned, considering the fact that she is a lady and there is no specific allegation of assault against her, her application for anticipatory bail is allowed. Let petitioner No.2, namely, Usha Devi, in the event of her arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Sitamarhi**, in connection with

Dumra P.S. Case No.179 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that petitioner No.1, abovenamed, shall present herself before the police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the Court on two consecutive occasions, her bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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