

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6315 of 2016

Arising Out of PS.Case No. -277 Year- 2015 Thana -HISUA District- NAWADA

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1. Bugli Devi, Daughter of Shiv Yadav.
2. Sabiya Devi Wife of Shiv Yadav, Both are Resident of Village-
Matukbigha, P.S.- Hisua, District- Nawada.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

For the informant : Mr. Birendra Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 24-02-2016 Heard learned counsel for the petitioners and the learned
Addl. Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Hisua P.S. Case No. 277/2015, disclosing offences under sections 323, 307, 379, 504, 34 of the Indian Penal Code.

According to the case of the prosecution, there took place an altercation and fight between the families of the informant and that of the co-accused Sheo Yadav. Allegedly, these two petitioners, who are ladies, assaulted the informant with sharp cutting weapon.

Learned counsel, appearing on behalf of the petitioners, submits that no offence under section 307 I.P.C. is made out as it does not appear from the First Information Report that there was any intention to kill the informant, even if the prosecution version

is taken to be true. He further submits that the injuries have been found to be simple in nature.

Learned counsel, appearing on behalf of the informant, has opposed the prayer for anticipatory bail and has submitted that keeping in view the gravity of the offence alleged, the petitioners do not deserve privilege of anticipatory bail.

However, considering the fact that the petitioners are ladies and the occurrence, if any, appears to have taken place in a fit of rage, this application is allowed.

Let the petitioners, abovenamed, in the event of their arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nawada in Hisua P.S.Case No. 277/2015, subject to the conditions as laid down under sections 438(2) of the Cr.P.C.

This is subject to the condition that the petitioners shall present themselves before the police/ court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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