

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9226 of 2016

Arising Out of PS.Case No. -403 Year- 2015 Thana -TEKARI District- GAYA

- =====
1. Pinki Devi, Wife of Santosh Das
 2. Santosh Das , Son of Beshlal Das
 3. Chitranjan Das, Son of Beshlal Das, All are resident of village - Matari, P.S. Tekari, District - Gaya

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Md. Javed Jafar Khan, Advocate.

For the Opposite Party : Mr. A.K.Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 10-05-2016 Heard both sides.

The petitioners apprehend their arrest in Tekari P.S. Case No. 403 of 2015 registered for the offences punishable under Sections 323, 341, 325, 307, 379, 504, 506 and 34 of the Indian Penal Code.

The informant alleged that Pinki Devi petitioner no. 1 getting her son natural call on the Darwaja of the informant for which the informant forbade her, on such, Santosh Das, Chitranjan Das assaulted her with sickle. When the informant's husband came to save the accused persons also assaulted him.

Learned counsel for the petitioner submits that there is case and counter case. The injuries found on the person of the

informant and her husband is simple in nature. There is no allegation of assault against Pinki Devi petitioner no. 1.

Considering the facts aforesaid and the fact that there is no allegation of assault against Pinki Devi petitioner no. 1 who is a lady, she above named, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate IXth, Gaya in Tekari P.S. Case No. 403 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

So far as the case of petitioners no. 2 and 3 Santosh Das and Chitranjan Das is concerned, there is specific allegation of assault against them that they assaulted the informant and her husband with sickle and the nature of injuries is simple but dangerous to life, I am not inclined to enlarge the petitioners no. 2 and 3 Santosh Das and Chitranjan Das on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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