

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26540 of 2016

Arising Out of PS.Case No. -182 Year- 2016 Thana -BANKA District- BANKA

- =====
1. Anandi Sah , son of Late Yogi Sah
 2. Nepal Sah, son of Ram Prasad Sah
 3. Ramdev Sah, son of Mohan Sah
 4. Fulchan Sah @ Fulchandra Sah, son of Ram Chandra Sah
 5. Sita Ram Sah, son of Mahajan Sah
 6. Saryug Sah @ Saryun Sah son of Late Paltan Sah
 7. Digamber Sah, son of Late Paltan Sah
 8. Manohar Kumar Sah @ Manohar Sah, son of Anandi Sah
 9. Reena Devi, wife of Manikant Sah
- All are resident of village - Bhurna, P.S. Barahat, District Banka

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Anuradha Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 01-07-2016 Heard Sri Anil Kumar Singh, learned counsel for the

petitioners and Smt. Anuradha Singh, learned A.P.P.

Nine petitioners, apprehending their arrest in connection with Banka (Barahat) P.S. Case No. 182 of 2016 registered for the offence under section 147, 148, 149, 341, 323, 307, 504 and 506 of the Indian Penal Code have prayed for grant of anticipatory bail.

It was submitted by learned counsel for the petitioners that there was case and counter case in between the parties and the reason for dispute in between the parties was a drainage and from both the sides case has been lodged. He submits that in the

F.I.R specific accusation is only against four accused persons whereas other accused were shown as participant in the crime. On this very ground he has made a prayer for grant of anticipatory bail.

Learned A.P.P. has opposed the prayer for anticipatory bail and submits that from the informant's side three persons had received injuries and out of three, one has received grievous injuries.

Be that as it may, keeping in view the fact that petitioner no. 9 who is a lady and against her there is only accusation that she was heard using abusive language in the occurrence, there is no reason to deny the prayer for anticipatory bail to the petitioner no. 9. Accordingly in the event of arrest or surrender within a period of six weeks from today, let the petitioner no. 9 namely Reena Devi be released on bail on furnishing bail bond of Rs. 10000 /- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka (Barahat) P.S. Case No. 182 of 2016 subject to the condition as contemplated under section 438(2) of the Code of Criminal Procedure. So far prayer for grant of anticipatory bail to the petitioner no. 1 to 8 is concerned, the court is not inclined to

extend such privilege. Their prayer for anticipatory bail stands disposed of with observation that if they appear before the court below within a period of six weeks from today and make a prayer for regular bail, the learned court below without being prejudiced with this order may examine the same and pass appropriate order in accordance with law.

The petition stands partly allowed.

(Rakesh Kumar, J)

Praful/-

U		T	
---	--	---	--