

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26910 of 2016

Arising Out of PS.Case No. -42 Year- 2016 Thana -KUTUMBA District- AURANGABAD

- =====
1. Mina Devi Wife of Basant Mehta
2. Sunil Kumar Son of Basant Mehta All residents of Village - Madhupur,
P.S. Kutumba, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate.

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 04-07-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek anticipatory bail in a case
instituted for the offences under Sections 341, 323 and 307/34
of the Indian Penal Code.

Allegation has been made that Basant Mehta, his son and
wife landed to the house of the informant and assaulted the
wife of the informant. On that account she became
unconscious who was admitted in the hospital.

Looking to the facts and circumstances of the case, in
the event of arrest or surrender within four weeks from today,
let petitioner no.1, namely, Mina Devi, be released on
anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten

thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad in connection with Kutumba P.S. Case No.42 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal procedure.

However, this Court is not inclined to enlarge the petitioner no.2, Sunil Kumar, on anticipatory bail. Accordingly his prayer for bail is rejected. However, if the petitioner no.2 surrenders before the court below within a period of three weeks, the court below will pass an order on its own merit without being prejudiced by the order passed by this Court.

(Shivaji Pandey, J)

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