

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33162 of 2016

Arising Out of PS.Case No. -234 Year- 2015 Thana -CHENARI District- SASARAM (ROHTAS)

- =====
1. Meena Devi W/o Ayodhya Prasad
 2. Mirti Devi @ Mriti Devi W/o Ajay Paswan
 3. Ajay Paswan
 4. Tunnu Paswan @ Tuntun Paswan Both Son of Ayodhya Paswan All resident of village- Kinner Chola, P.S.- Chenari, Dist.- Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 04-10-2016 Heard both sides.

The petitioners namely Meena Devi, Mirti Devi @ Mriti Devi, Ajay Paswan and Tunnu Paswan apprehend their arrest in Chenari P.S. Case No. 234/2015, registered for the offences punishable under Section 379 and other sections of the Indian Penal Code.

The informant named the petitioners along with other accused persons and alleged that petitioner no. 1 Meena Devi, petitioner no. 2 Mirti Devi @ Mriti Devi and petitioner no. 4 Tunnu Paswan assaulted Maya Kumari on her head, neck and on eye and she got grievous injury. It is further alleged that Tunnu

Paswan and Ajay Paswan snatched money from the possession of the informant.

Learned counsel for the petitioners submits that petitioners are next door neighbor of the informant. There is no allegation of assault against petitioner no. 1, and 2. Only Maya Kumari received injuries. Other persons did not receive any injury. There is counter version bearing Chenari P.S. Case no. 235/2015, but from perusal of FIR, it appears that petitioner no. 3 Ajay Paswan, petitioner no. 4 Tunnu Paswan and Dhiraj Paswan are alleged to have assaulted Maya Kumari. Maya Kumari got as many as four injuries, out of which, two injuries are on head. The doctor advised for C.T. scan of the abrasion and final injury report has not yet been received.

Considering the facts aforesaid, I am not inclined to enlarge petitioner no. 3. Ajay Paswan and petitioner no. 4 Tunnu Paswan on anticipatory bail. Accordingly, the same is rejected.

So far as the case of petitioner no. 1 Meena Devi and petitioner no. 2 Mirti Devi are concerned, they are ladies and no specific allegation of assault is made against them, they are, in the event of their 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, directed to be enlarged 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, Rohtas (Sasaram) in connection with Chenari P.S. Case No. 234/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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