

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32727 of 2016

Arising Out of PS.Case No. -244 Year- 2015 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

=====

1. Rambabu Kumar @ Rambabu Sahni Son of Shri Sukendra Sahani
2. Asha Devi Wife of Shri Sukendra Sahani
3. Chinta Devi Daughter of Shri Sukendra Sahani, All are residents of
village - Chhota Tola, Police Station Nautan, District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-12-2016 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in Nautan
P.S. case No.244 of 2015 registered under Sections 147, 149,
120(B) and 302 of the Indian Penal Code, pending before the
court of A.C.J.M., Bettiah.

Allegation is that the accused persons including the
petitioner No.1 pressed the neck of the mother of the informant
with lathi and petitioner Nos.2 and 3 caught hold of her leg, due to
which she died.

It has been submitted on behalf of the petitioners that
there is no allegation of tampering of witnesses alleged against the



petitioners. The petitioners have falsely been implicated in the present case. No specific allegation has been made against the petitioners. Petitioner Nos.2 and 3 are ladies.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R. Specific allegation has been made against accused Lalan Sahni, Upendra Sahni, Chanchal Sahni and Rambabu Kumar @ Rambabu Sahni (petitioner No.1) for assaulting the deceased, which led to her death.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioner No.1. His prayer for anticipatory bail is rejected.

Anyhow if the petitioner No.1 surrenders in the court below within a period of six weeks from today, the same shall be considered on its own merit without being prejudiced by this order.

As far as the petitioner Nos.2 and 3 are concerned, since they are ladies, let the petitioner Nos.2 and 3, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate,



Bettiah, District West Champaran in connection with Nautan P.S.
case No.244 of 2015, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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

