

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34563 of 2016

Arising Out of PS.Case No. -67 Year- 2016 Thana -NAGARNAUSA District- NALANDA
(BIHARSHARIFF)

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1. Kumari Sashi Rekha Wife of Santosh Pawan
2. Rubi Devi Wife of Ratan Paswan
3. Kavita Devi Wife of Brij Nandan Paswan
4. Maya Devi Wife of Bharat Paswan
5. Bachchi Devi@Bachiya Devi@Samima Devi Wife of Ballam Paswan
All are resident of Village- Fajilapur, Police Station- Nagarnausha, District
Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

2 08-09-2016 Learned counsel for the petitioners at the very outset makes a prayer for allowing him to make correction in the prayer portion of the present petition. He submits that instead of mentioning Additional Chief Judicial Magistrate it has incorrectly been typed as Chief Judicial Magistrate. He is permitted to make correction.

Heard Sri Anil Kumar Singh, learned counsel for the

petitioners as well as learned A.P.P.

Five petitioners who are lady , apprehending their arrest in Nagarnausha P.S. Case No. 67 of 2016 registered for the offence under section 341, 323, 325, 307, 379, 504, 506/ 34 of the Indian Penal Code, have prayed for grant of bail in the event of their arrest or surrender.

It was submitted by learned counsel for the petitioners that there was case and counter case in between the parties. By way of referring to Annexure – 2 to the petition i.e. a copy of F.I.R. of Nagarnausha P.S. Case No. 66 of 2016 registered for the offence under section 341/ 448/ 323/ 504/ 506/34 of the Indian Penal Code learned counsel for the petitioners submits that petitioner no. 3 being an informant has alleged offences against the informant side who is accused no. 1 in Nagarnausha P.S. Case No. 66 of 2016 and other accused persons. He further submits that even in the present F.I.R. only allegation of overt act is against one Ratan Paswan regarding giving blow by iron rod. He submits that even injury does not corroborate the allegation of Section 307 of the Indian Penal Code. He further submits that Section 379 of the Indian Penal Code has ornamentally been included in the case to show seriousness of offence.

Keeping in view the fact that there was case and

counter case, nature of accusation and the fact that all the petitioners are lady, in the event of their arrest or surrender within a period of six weeks from today, let the petitioners Kumari Sashi Rekha, Rubi Devi, Kavita Devi, Maya Devi, Bachchi Devi @ Bachiya Devi @ Samima Devi be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Hilsa, Nalanda / concerned court in connection with Nagarnausha P.S. Case No. 67 of 2016 subject to the conditions as contemplated under section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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