

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39068 of 2016

Arising Out of PS.Case No. -172 Year- 2016 Thana -SHIVSAGAR District- SASARAM
(ROHTAS)

=====

1. Vimla Devi @ Bimla Devi Wife of Yogendra Chandrabanshi.
2. Yogendra Chandrabanshi. Son of Vishwanath Kahar,
Both are resident of Village- Biyar Bandh, Police Station- Shiv Sagar,
District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Choubey

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 20-09-2016 Heard Sri Surendra Kumar Choubey, learned counsel

for the petitioners and Sri Lakshmi Kant Sharma, learned

Additional Public Prosecutor.

Two petitioners, apprehending their arrest in Sheosagar
P.S. Case No. 172 of 2016 registered for the offence under
Section 341, 323, 324, 307, 379, 504, 506/ 34 of the Indian Penal
Code , have prayed for grant of bail in the event of arrest or
surrender.

It was submitted by learned counsel for the petitioners
that a trivial dispute arose in between the parties and to give
seriousness of the offence allegation has been made that petitioner
no. 2 used 'farsa' and gave 'farsa' blow whereas allegation against

petitioner no. 1 has been made that she forcibly snatched golden chain from the neck of the informant. He submits that injury report does not corroborate the allegation whereas, learned Additional Public Prosecutor opposing the prayer submits that in the F.I.R. there is specific accusation against the petitioner no. 2 regarding giving 'farsa' blow on the head of the husband of the informant as well as informant.

Besides hearing learned counsel for the parties I have perused the materials available on record particularly the F.I.R. After going through the allegation so far petitioner no. 2 is concerned the court is of the opinion that it is not a case for grant of anticipatory bail. Accordingly, prayer for grant of anticipatory bail of petitioner no. 2 Yogendra Chandrabanshi stands rejected.

So far petitioner no. 1 is concerned it appears that it has been exaggerated that petitioner no. 1 had snatched a golden chain. Moreover, petitioner no. 1 is a lady.

Keeping in view the facts and circumstances, in the event of arrest or surrender within a period of six weeks from today, let the petitioner no. 1 namely Vimla Devi @ Bimla Devi be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each

to the satisfaction of learned Chief Judicial Magistrate, Sasaram at
Rohtas / concerned court in connection with Sheosagar P.S. Case
No. 172 of 2016 subject to the conditions as contemplated under
section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

Praful/-

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