

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12457 of 2016

Arising Out of PS.Case No. -718 Year- 2015 Thana -BIHTA District- PATNA

- =====
1. Shanti Devi W/o - Mohan Mahto resident of Village - Amnabad Ganjpar, P.S. - Bihta, District - Patna.
 2. Kiran Devi W/o - Upendra Mahto resident of Village - Amnabad Ganjpar, P.S. - Bihta, District - Patna.
 3. Akali Devi @ Dharmshila Devi W/o - Shailesh Mahto resident of Village - Amnabad Ganjpar, P.S. - Bihta, District - Patna.
 4. Shila Devi W/o Rajesh Mahto resident of Village - Amnabad Ganjpar, P.S. - Bihta, District - Patna. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. Narbadeshwar Prasad Singh

For the Opposite Party/s : Mr. Anant Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 28-03-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 341, 323, 324, 504, 325, 379, 307/34 of the Indian Penal Code.

The prosecution case is that 11 accused persons, including the petitioners, entered into the house of the informant, assaulted the informant, his wife, his son, caused grievous injury to the wife of informant and also snatched Rs. 50,000/- and golden chain.

It is submitted by the learned counsel for the petitioners that accusation of assault is omnibus and general. The petitioners are ladies. The injuries of the informant side have been found to be simple in nature. Statement to that effect has been made in

paragraph 14 of the petition which reads thus:-

“14. That the injuries found on the person of the informant and others in Bihta P.S. case No. 718 of 2015 were examined by the doctor who found all injuries simple in nature.”

There is counter version of the occurrence.

Considering the aforesaid facts, let the above named petitioners be released on provisional anticipatory bail for three months in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Danapur, Patna in connection with Bihta P.S. Case No. 718 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioners shall be confirmed by the learned court below on verification of the fact that informant's side have not received any grievous injury, but if it is found that informant's side received grievous injury, then the petitioners shall surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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