

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11786 of 2016

Arising Out of PS.Case No. -7 Year- 2015 Thana -MADHUBAN District- EAST CHAMPARAN
(MOTIHARI)

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1. Veena Devi W/o Radhakant Singh
2. Bachchi Devi W/o Jailal Mahto
3. Raju Singh @ Raju Kumar Singh S/o Radhakant Singh
All residents of village - Dubaha, P.S. Madhuban, District - East
Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ramakant Yadav, Advocate.

For the Opposite Party/s : Dr. M.K. Gautam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 23-06-2016

Heard both sides.

The petitioners, namely, Veena Devi, Bachchi Devi and Raju Singh @ Raju Kumar Singh, apprehend their arrest in a case under Sections 147, 148, 149, 323, 224, 225, 353, 332, 504, 120(B) and 307 of the Indian Penal Code.

The informant, an ASI of Police, informed that the villagers apprehended Santosh Kumar Singh with arms and handed him over to the police. While the informant along with other police officials was bringing the accused, the petitioners and others assaulted the informant and got the accused freed from the custody of the police. It is submitted that the petitioners no. 1 and 2 are ladies. It is not believable that they could have assaulted the

police. The petitioners no. 1 and 2 have also got criminal antecedents but those cases were lodged by the pattidars and neighbours out of family dispute.

On the other hand, learned A.P.P. has opposed the prayer for anticipatory bail and submitted that the petitioners no. 1 and 2 have got criminal antecedents.

Having considered the facts aforesaid and the fact that the petitioners no. 1 and 2, namely, Veena Devi and Bachchi Devi are ladies, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, the above named petitioners no. 1 and 2 are 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 the learned S.D.J.M., Sikrahana at Motihari in Madhuban P.S. Case No. 7/15, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as the case of petitioner no. 3, namely, Raju Singh @ Raju Kumar Singh is concerned, he has got criminal antecedent and the allegation is that he assaulted the police in order to get the accused freed from the custody of the police. Considering the nature of allegation made against the petitioner

no. 3, I am not inclined to enlarge the petitioner no. 3 on anticipatory bail in Madhuban P.S.Case No. 7/15. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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