

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28794 of 2016

Arising Out of PS.Case No. -210 Year- 2015 Thana -LAUKHI District- MADHUBANI

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1. Budhan Khatwe
 2. Raj Kumar Khatwe Both are sons of Sita Ram Khatwe
 3. Geeta Devi wife of Budhan Khatwe All are residents of village - Sonebarsha P.S. Laukahi, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad

For the Opposite Party/s : Mr. Sri Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 19-08-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks anticipatory bail in Laukahi P.S. Case No.210 of 2015, G.R. No.1838 of 2015 instituted for the offences under Sections 341, 323, 324, 307, 354, 379 and 504/34 of the Indian Penal Code.

Allegation has been made against the petitioners that they have assaulted the son of the informant mercilessly and caused injuries on the different parts of body. There is also allegation of snatching away the necklace.

Petitioner no.3, Geeta Devi, is a lady. Looking to the facts and circumstances of the case, in the event of arrest or

surrender within four weeks from today, let petitioner no.3, namely, Geeta Devi, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate Ist Class, Jhanjharpur, Madhubani in connection with Laukahi P.S. Case No.210 of 2015, G.R. No. 1838 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

However, this Court is not inclined to enlarge petitioner nos. 1 and 2, namely, Budhan Khatwe and Raj Kumar Khatwe, on anticipatory bail. Accordingly their prayer for bail is rejected. However, if the petitioners surrender before the court below within a period of four weeks, the court below will pass an order on its own merit on the same day without being prejudiced by the order passed by this Court.

(Shivaji Pandey, J)

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