

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47811 of 2016

Arising Out of PS.Case No. -234 Year- 2016 Thana -PHULWARI District- PATNA

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1. Pramila Devi wife of Balgobind Sao
2. Ajeet Kumar son of Balgobind Sao Both resident of Village- Nagma,
P.S.- Janipur, Dist- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh

For the Opposite Party/s : Mr. M. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 25-11-2016 Heard learned counsel for the petitioners and Mr.

Dayal APP for the State.

In brief, the allegation is that the accused persons including the petitioners intruded into the house and assaulted several family members. One of the injured(s) received few grievous injuries.

Contention of the petitioners is that co-accused Bal Gobind Sao who is brother of the informant of the present case also lodged a case on 19.04.2016 alleging that the present prosecution side assaulted few family members of the informant.

Learned APP for the State points out that some of the injuries sustained by the informant are serious.

Looking to the allegations and other materials available on record, I am not persuaded to extend privilege of anticipatory bail to the petitioner no.2, namely, Ajeet Kumar. His prayer for anticipatory bail is rejected.

So far as the petitioner no.1, namely, Pramila Devi, is concerned she being a female member and that there being no specific allegation of assault attributed to her, this Court is inclined to extend her the privilege of anticipatory bail. Let the petitioner No.1, in the event of her arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Patna, in connection with Phulwarisharif (Janipur) P.S. Case No. 234 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial Court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the

trial Court shall have liberty to cancel the bail bonds of the petitioner and secure her arrest in accordance with law.

(Kishore Kumar Mandal, J)

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