

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54522 of 2016

Arising Out of PS.Case No. -191 Year- 2016 Thana -KUCHAIKOTE District- GOPALGANJ

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1. Lallan Prasad, son of Nagina Prasad,
2. Mahrajia Devi, wife of Nagina Prasad, All resident of Village- Lalbagi,
P.S.- Kuchaikot, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

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

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 22-12-2016 Heard Mr. Verma for the petitioners and Mr. Dayal, APP
for the State.

Two petitioners herein are son and mother and they are facing prosecution under Sections 341, 323, 324, 307 and 34 of the Indian Penal Code vide Kuchaikot P.S. Case No. 191 of 2016. They pray for anticipatory bail.

Mr. Verma states that the allegation against the petitioner no. 1 is of having caused injury on head of the informant with *farsa* which, however, was opined to be simple in nature. There is allegation of assault attributed to petitioner no. 2 who is a lady and mother of petitioner no. 1. There is a counter version lodged by father of petitioner no. 1 against the present prosecution side under Section 307 IPC (Annexure-2) in which the father of the petitioner no. 1 and the present petitioners also received injury.



Be that as it may, considering the fact that there is specific allegation attributed to petitioner no. 1, I am not inclined to extend the privilege m of anticipatory bail to him. His prayer is refused.

Let petitioner no. 2 abovenamed, in the event of arrest or surrender in the Court below within four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in Kuchaikot P.S. Case No. 191 of 2016 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further condition that one of the bailers shall be the own/close family members of the petitioner.

(Kishore Kumar Mandal, J)

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