

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 21843 of 2017

Arising Out of PS.Case No. -29 Year- 2017 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Geeta Devi, wife of Jatan Ram,
2. Jatan Ram, Son of Late Lakhichan Ram,
Both are resident of Village- Kalyanpur, P.O. and P.S. Kalyanpur,
District- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 01-07-2017 Heard Sri Pravin Kumar, learned counsel for the
petitioners and learned Addl. Public Prosecutor.

Two petitioners, who are wife & husband
respectively, have approached this Court with a prayer to extend
the privilege of anticipatory bail in Kalyanpur P.S. Case No. 29 of
2017 registered for offence under Sections 448, 341, 323, 379,
307, 504, 506/34 of the Indian Penal Code.

It was submitted by learned counsel for the petitioners
that in the F.I.R. itself, there is no specific accusation, so far as
petitioner no. 1 is concerned. He submits that there was case and
counter case in between the parties. From the petitioners' side, an
F.I.R., vide Kalyanpur P.S. Case No. 30 of 2017, was filed for



offence under Sections 341, 323, 379, 307, 354, 504, 34 of the Indian Penal Code against the informant of the present case and others. He further submits that as per F.I.R. itself, alleged occurrence had taken place on 05-03-2017, whereas, F.I.R. was lodged on 09-03-2017. He submits that in village politics, false accusation has been made.

Considering the fact that there was case and counter case in between the parties as well as the fact that F.I.R. was lodged much belatedly, there is no reason to deny the prayer for anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let both the petitioners namely Geeta Devi and Jatan Ram 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 learned A.C.J.M.-9, Motihari in connection with Kalyanpur P.S. Case No. 29 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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