

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49174 of 2017

Arising Out of PS.Case No. -52 Year- 2016 Thana -BHEJA District- MADHUBANI

=====

1. Baby Devi @ Bebi Devi, Wife of Raj Kumar Ram,
2. Vidayanand Ram @ Bidyanand Ram, Son of Ram Prasad Ram,
3. Ganesh Ram, Son of Ram Prasad Ram, resident of Village- Tengraha,
P.S.- Bheja, Dist.- Madhubani Petitioners

Versus

1. The State of Bihar Opposite Party

=====

Appearance :

For the Petitioners : Mr. Manish Kumar No 13, Adv.

For the Opposite Party : Mr. Rana Randhir Singh, APP 209

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 17-10-2017 The learned counsel for the petitioners submits that petitioner no. 2, Vidayanand Ram @ Bidyanand Ram, has been arrested.

Accordingly, the anticipatory bail petition of petitioner no. 2, Vidayanand Ram @ Bidyanand Ram, is dismissed as has become infructuous.

Heard both sides.

The petitioners apprehend their arrest in Bheja P.S. Case No. 52 of 2016 under Sections 341, 323, 325, 307, 354, 379, 504 and 506/34 of the Indian Penal Code.

The informant alleged that the petitioners and others assaulted her and her family members.

The learned counsel for the petitioners submits that there is no specific allegation of assault is against petitioner no. 1, Baby Devi @ Bebi Devi.

So far as petitioner no. 3, Ganesh Ram, is concerned, he is alleged to have assaulted father-in-law and mother-in-law of the informant, Heera Devi, with spear, but, no corresponding injury was found. There is case and counter case and the learned



Sessions Judge has also found that there is mutual assault between the two sides.

Perused the records.

It appears that there is no specific allegation of assault made against petitioner no. 1, Baby Devi @ Bebi Devi.

Considering the facts, aforesaid, petitioner no. 1, Baby Devi @ Bebi Devi, in the event of her arrest or surrender, within four weeks from the date of receipt of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Bheja P.S. Case No. 52 of 2016** to the satisfaction of **Sri Devesh Kumar, Judicial Magistrate, 1st Class, Jhanjharpur, Madhubani**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

So far as petitioner no. 3, Ganesh Ram, is concerned, he is alleged to have assaulted father-in-law and mother-in-law of the informant, Heera Devi. Father-in-law got injuries on leg and bone of leg was found fractured.

Considering the facts, aforesaid, made against the petitioner no. 3, Ganesh Ram, I am not inclined to enlarge him on anticipatory bail.

The prayer for anticipatory bail on behalf of petitioner no. 3, Ganesh Ram, is **rejected**.

(Prabhat Kumar Jha, J)

SA/-

U	√	T	√
---	---	---	---

