

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53584 of 2017

Arising Out of PS.Case No. -52 Year- 2017 Thana -BALIA District- BEGUSARAI

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1. Anil Tanti S/o late Begu Tanti
2. Sita Devi W/o Anil Tanti Both are Resident of Villagers Sadanandpur,
P.S. Ballia, District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indrajit Kumar

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 09-11-2017 After some arguments, the learned counsel for the

petitioners seeks permission to withdraw the application for grant

of anticipatory bail on behalf of petitioner no.1, Anil Tanti.

Accordingly, the application is dismissed as

withdrawn against petitioner no.1.

Withdrawal of case of petitioner no.1 will not come

in the way if petitioner no.1 prays for regular bail, on surrender,

the court below will consider the application for grant of regular

bail on its own merit and dispose of on the same date.

Petitioner no.2, Sita Devi, is apprehending her arrest

in connection with Ballia P.S. Case No.52 of 2017 for the offences

under Sections 323, 341, 379, 307, 504 and 34 of the Indian Penal



Code.

From the fardbeyan, it appears that the allegation against petitioner no.2 is that she took away two bags of wheat and a bicycle from the house of the informant. In the instant case the specific allegation of assault is against co-accused Kishore Tanti and active participation of Anil Tanti in assisting Kishore Tanti in the commission of assault to the informant.

Considering the aforesaid facts and circumstances that petitioner no.2 has not been alleged any specific overt act of assault, let petitioner no.2 be released on bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Begusarai in connection with Ballia P.S. Case No.52 of 2017 subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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