

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12256 of 2017

Arising Out of PS.Case No. -16 Year- 2017 Thana -PANAPUR District- SARAN

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1. Mangal Nut son of Budhan Nut

2. Bhoti Devi wife of Mangal Nut

3. Kabutari Devi @ Kabutri Devi wife of Bideshi Nut

All are residents of Village - Jipura, PS Panapur, District - Saran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 22-03-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners apprehend their arrest in connection with
Panapur P.S. Case No. 16 of 2017 registered for the offences
punishable under Sections 147, 148, 149, 341, 323, 307, 353, 272,
273 of the Indian Penal Code and Section 30 (a) of New Excise
Act, 2016.

Allegedly, when the apprehended accused Bideshi Nut
was being taken by the Police personnel, the petitioners attacked
along with 30-40 persons on the police force and got freed
Bideshi Nut.

Submission is of false implication and that the
petitioners have been made victim of circumstances, as a matter of
fact the Police personnel used vulgar language against the lady



inmates and then the villagers became angry and attacked on the Police party but the informant has named the petitioners only with oblique motive. The petitioners were not present at the place of occurrence at that time and as such they deserve sympathetic consideration.

Learned APP seriously opposes the prayer of bail.

In the facts and circumstances stated above, considering that the petitioners no. 2 and 3 are ladies and, as such, they, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Saran at Chapra in connection with Panapur P.S. Case No. 16 of 2017, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, considering the allegation attributed against the petitioner no. 1 and further considering his gender, I am not inclined to grant him privilege of pre-arrest bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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