

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17737 of 2017

Arising Out of PS.Case No. -257 Year- 2016 Thana -PUPRI District- SITAMARHI

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1. Fekan Rai, son of Late Matar Rai.
 2. Ishwar Rai, son of Fekan Rai.
 3. Mithilesh Devi, Wife of Ramprit Rai @ Ramprit Yadav.
 4. Shivji Rai, Son of Laxman Rai.
 5. Sikindar Rai, son of Shivji Rai, All are resident of Village- Basotra, P.S.- Pupari, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Dilbar Krishna

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-04-2017 The petitioners are apprehending their arrest in connection with Pupri P.S. Case No. 257 of 2016 registered for offences punishable under Sections 147, 149, 332, 333, 337, 253, 427 and 435 of the Indian Penal Code.

The allegation against the petitioners are that the when the Rajasthan Police came to Pupari Police Station, Sitamarhi to get arrest the accused Ram Prit Yadav and also for recovery of Innova Vehicle and while they tried to seize the vehicle, the petitioner and other persons reached there and by forming unlawful assembly created obstruction and also disturbed the police party in discharging their duty.



It has been submitted on behalf of the petitioner that seizure list was prepared in that case and from the seizure list, it appears that vehicle was seized prior to the lodging of this case against all these petitioners. One of the petitioners i.e. petitioner no.3 is a lady.

Heard learned A.P.P.

Having heard both sides and in view of the allegation, I am not inclined to grant anticipatory bail to the petitioners except petitioner no.3 who is a lady and as such, let the petitioners surrender before the court below and make prayer for regular bail which will be considered on its own merit without being prejudiced by the order of this court.

So far petitioner no.3, namely, Mithilesh Devi is concerned, being a lady, in the event of her arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Pupari, Sitamarhi, in connection with Pupari P.S. Case No. 257 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) One of the bailors of the petitioner shall be a local person



having sufficient immovable property within the jurisdiction of the concerned Court.

(ii) The petitioner shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of her bail bonds.

Accordingly, this petition is disposed off.

(Vinod Kumar Sinha, J)

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