

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7371 of 2017

Arising Out of PS.Case No. -395 Year- 2016 Thana -SAUR BAZAR District- SAHARSA

- =====
1. Surendra Paswan, son of late Tetar Paswan,
 2. Reena Devi, wife of Vikas Paswan, both are resident of village-Kadhaiya, P.S. Saur Bazar, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar-1, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 30-06-2017

Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in Sour Bazar P.S. Case No.395 of 2016 instituted for the offence under Section(s) 341, 323, 324, 354, 307, 379, 504, 506/34 Indian Penal Code.

As per written report, petitioner No.1 assaulted the informant with iron rod on head due to which informant fell down on the ground. Daughter of the informant, Kanchan Devi, came to save then petitioner No.2 caused injury to her with spade on her left leg.

Case diary has been received.

Learned APP has submitted that no injury has been found on the person of Kanchan Devi, daughter of the informant,



but injuries have been found on the person of the informant of which Injury No.2 is grievous in nature.

In the facts and circumstances of the case, prayer of the petitioner No.2, Reena Devi, for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner No.2, named above, within six weeks from today in connection with Sour Bazar P.S. Case No.395 of 2016, she shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

So far as petitioner No.1, Surendra Paswan, is concerned, since there is direct and specific allegation against



him, this Court is not inclined to extend the privilege of anticipatory bail to him.

Prayer is rejected.

It has been submitted that compromise has taken place between the parties. The petitioner No.1 may surrender before the Court below and seek regular bail, which shall be considered and disposed of on its own merit preferably on the same day without being prejudiced by this order.

(Sanjay Priya, J)

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