

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47078 of 2017

Arising Out of PS.Case No. -47 Year- 2017 Thana -KANGALI District-
WESTCHAMPARAN(BETTIAH)

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1. Sonwa Devi wife of Late Devilal Mahto.
2. Manti Devi @ Mati Devi D/o.- Late Devi Lal Mahto.
3. Smt. Kanti Devi D/o.- Late Devi Lal Mahto. All Resident of Village- Sabaitwa, P.S.- Kangali, District- West Champaran at Bettiah.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Uday Kumar Mishra, Advocate

For the Opposite Party : Mr. Md. Fahimuddin (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 12-12-2017 Heard learned counsel for the petitioners, learned counsel for the informant and learned counsel representing the State.

The petitioners apprehend their arrest in connection with Kangali P.S. Case No. 47 of 2017, registered for the offences punishable under Sections 341, 323, 325, 307/34 of the Indian Penal Code.

The allegation against the petitioners is that they caught the informant and started pulling him towards the house and thereafter Santosh Mahto, Pramod Mahato and Manoj Mahto assaulted with lathi and iron rod, all assaulted Sant Lal Mahto, the bother of the informant, also brutally. Sant Lal Mahto was brought for treatment and ultimately he was treated in Birganj Hospital



where his condition was reported as serious and later on he died.

Submission is of false implication and that against the petitioners there is no allegation for assaulting anyone, the allegation against them is to catch hold the informant. The petitioners are lady and were not armed with weapon and, as such, they deserve sympathetic consideration.

The learned A.P.P. and learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that all have brutally assaulted Sant Lal Mahto, resulting, in spite of treatment he succumbed to the injury.

In the facts and circumstances as stated above, considering the allegation and gender of the petitioners, they in the event 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 furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri R.R Sahay, J.M. Bettiah at West Champaran, in connection with Kangali P.S. Case No. 47 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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