

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36622 of 2017

Arising Out of PS.Case No. -138 Year- 2017 Thana -RIVILGANJ District- SARAN

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1. Mala Devi, W/o Din Dayal Mahto,
2. Maya Devi W/o Kanhaiya Mahto,
3. Kanhaiya Mahto Son of Din Dayal Mahto, All R/o Samsuddinpur, Bichla
Tola, P.S.- Rivilganj, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Singh

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-08-2017 Heard the parties.

The petitioners are apprehending their arrest in connection with G.R.No.3811 of 2017 arising out of Ravilganj P.S.Case No.138 of 2017, registered for offences punishable under Sections 341, 323, 307 and 504/34 of the Indian Penal Code.

Allegation against the petitioner no.1 and 2 is of assault to the wife of the informant and allegation against petitioner no.3 is that he along with others assaulted the informant.

Submission of the learned counsel for the petitioners is that prior to lodging of this case, a case had been lodged by the petitioner no.1 against the informant and his family members and further the injuries are simple in nature to the informant as well as his wife.

Heard learned A.P.P. also.



Having heard both sides and in view of the fact that petitioner no.1 (Mala Devi) and petitioner 2 (Maya Devi) are ladies and the allegation against petitioner no.3 (Kanhaiya Mahto) is general and omnibus, as such, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M.-VIII, Saran, Chapra in connection with G.R.No.3811 of 2017 arising out of Rivilganj P.S.Case No.138 of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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