

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6324 of 2018

Arising Out of PS.Case No. -441 Year- 2017 Thana -BANKA District- BANKA

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1. Tej Narayan Barbayak, S/o Late Mishar Barbayak,
2. Shyam Sunder Barbayak S/o Late Mishar Barbayak,
3. Rajesh Barbayak S/o Tej Narayan Barbayak,
4. Rakesh Barbeyak S/o Tej Narayan Barbayak,
5. Geeta Devi W/o Tej Narayan Barbaya, All R/o Village- Ratodhiya, P.S.-
Banka, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-02-2018 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Banka PS case no. 441 of 2017 registered for
the offences punishable under Sections 325 and other sections of
Indian Penal Code.

After some arguments, the learned counsel for the
petitioners seeks to withdraw the present petition as against
petitioners no. 1 to 4 with a liberty to approach the concerned
Court for grant of regular bail.



Accordingly, it is directed that in case, the petitioners no. 1 to 4 surrender before the trial court within a period of four weeks from today, the learned trial court would consider the prayer for grant of regular bail of the petitioners and dispose if of on the same day.

The present petition is disposed of as withdrawn as far as petitioners no. 1 to 4 are concerned.

Now coming to the merits of the case, there is allegation of assault on the part of the accused persons resulting in injuries on the person of the prosecution side.

The learned counsel for the petitioners submits that there is allegation of assault from both the sides, however the submission in brief is that the petitioner no. 5 is a lady and there is general and omnibus allegation of overt act as far as the petitioner no. 5 is concerned and she is having a clean antecedent.

Having regards to the facts and circumstances of the case, I deem it fit and appropriate to admit the petitioner no. 5 to the privilege of anticipatory bail. Accordingly, the petitioner no. 5, 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, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand)



with two sureties of the like amount each to the satisfaction of
Chief Judicial Magistrate, Banka in connection with Banka PS
case no. 441 of 2017 subject to the conditions as laid down under
Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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