

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10586 of 2018

Arising Out of PS. Case No.-68 Year-2017 Thana- PARASBIGHA District- Jehanabad

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1. Malti Devi W/o Ramesh Bind
 2. Ramesh Bind S/o Kamaldeo Bind Both Resident of Village- Gareriya Bigha, P.S. Pali, Distt.- Jehanabad, at Present R/o Village- Beldari Bigha, P.S.- Parasbigha, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. LALAN KUMAR

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-02-2018 At the outset, the learned counsel for the petitioners seeks permission to withdraw the present bail petition as far as the petitioner no. 2 is concerned.

Accordingly, the present bail petition as far as the petitioner no. 2 is concerned, is dismissed as withdrawn.

This is an application for grant of anticipatory bail in connection with Parasbigha P.S. Case No. 68 of 2017 registered for the offence punishable under Sections 302 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

Now, coming to the merit of the case, the case of the prosecution is that when the informant was getting his field filled with earth for construction of his house, the co-accused Ramesh Bind i.e. the petitioner no. 2 herein had assaulted the deceased and thereafter the other co-accused are also said to



have assaulted the prosecution side.

The learned counsel for the petitioners submits that there is a general and omnibus allegation as far as the petitioner no. 1 is concerned and she being a lady is not likely to cause any grievous injury. It is further submitted that the petitioner no. 1 has also not been stated to have participated in the alleged crime. It is also submitted that the petitioner no. 1 is stated to be having a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to admit the petitioner no. 1 herein to the privilege of anticipatory bail, 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 on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Jehanabad in connection with Parasbigha P.S. Case No. 68 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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