

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62420 of 2018

Arising Out of PS. Case No.-253 Year-2018 Thana- HILSA District- Nalanda

-
1. Sarita Kumar @ Sarita Devi, Wife of Vikas Kumar @ Lalendra Kumar, Resident of Village- Chakjohra Khurd, Police Station Hilsa, District- Nalanda.
 2. Ajit Kumar, Son of Ravindra Prasad
 3. Ravindra Prasad, Son of late Ramashray Singh @ Late Ramlagan Prasad
- Both 2 and 3 are resident of Village Khajura, Police Station- Nagarnausa, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 17-12-2018 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in connection with Hilsa P.S. Case No. 253 of 2018 for the offence under Sections 341, 302, 323, 109 and 337/34 of the Indian Penal Code.

In the instant case, case diary was called for.

Learned counsel for the petitioners submits that there is single injury on the deceased.

Considering the fact that petitioner no.1 is a lady and at the relevant time she was in the family way, let petitioner no. 1, namely, Sarita Kumari @ Sarita Devi, in the event of arrest or



surrender before the court below within one month from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Hilsa, Nalanda in connection with Hilsa P.S. Case No. 253 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as petitioner no.2 and 3, namely, Ajit Kumar and Ravindra Prasad, are concerned, the Court is not inclined to grant anticipatory bail to them. Accordingly, their prayer for grant of anticipatory bail is rejected.

In the event, the petitioner nos. 2 and 3 surrender before the court below and pray for regular bail, the court below is directed to dispose of the application for grant of bail on the same day on its own merit without being influenced by the rejection of anticipatory bail application by this Court.

The Court below is directed to take into consideration the factor of age and other materials while deciding the bail application of petitioner nos. 2 and 3.

(Anil Kumar Upadhyay, J)

uday/-

U		T	
---	--	---	--

