

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17093 of 2018

Arising Out of PS.Case No. -82 Year- 2017 Thana -MEHANDIA District- JEHANABAD

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1. BIMLA DEVI @ VIMLA KUMARI, aged about 46 years, wife of Raju Prasad
 2. Rahul Kumar, aged about 23 years, son of Raju Prasad.
 3. Chiku Kumar @ Ritesh Ranjan, aged about 21 years, son of Raju Prasad.
- All are Resident of Village- Jaipur, P.S. Mehandia, District Arwal.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiw Kumar Prabhakar

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 24-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Mahendia P.S.Case No.82/17 , registered for offences punishable under Sections 341, 323, 354(B), 379, 504 and 506/34 of the Indian Penal Code.

Allegation against the petitioners is of assaulting the informant and others and also threatening to commit rape upon her. Petitioner no.1 is the mother and petitioner nos. 2 and 3 are the sons of the petitioner no.1

Submission of the learned counsel for the petitioners is that there is case and counter case between the parties, injuries are simple in nature and as the petitioner used to raise voices against



the malpractices of the informant, who happens to be the headmistress of the School.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Arwal in connection with Mahendia P.S. Case No.82 of 2017 dated 4.10.2017, subject to condition 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 a 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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