

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63608 of 2017

Arising Out of PS.Case No. -250 Year- 2017 Thana -KURSAKANTA District- ARRARIA

- =====
1. Choti Kumari @ Stuti Kumari
 2. Guriya Devi @ Archana Verma
 3. Abha Verma
 4. Rambha Devi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 11-01-2018

Heard both sides.

The petitioners apprehend their arrest in Kursakanta P.S. case No. 250 of 2017 under Section 307 and other Sections of the Indian Penal Code. Later on after death of Baidnath Mandal Section 302 of the IPC was added.

The informant, Pramod Mandal, named the petitioners along with other accused persons and disclosed that all the accused persons came to his land and set ablaze katibatti, after sprinkling kerosene oil. When father of the informant went to the land, on the order of Abha Verma, petitioner No. 3, Dhruv Verma repeatedly assaulted the father of informant with bamboo. The father of the informant fell down on the ground after receiving injuries on head and other parts of his body.

The learned counsel for the petitioners submits that petitioner No.3, Abha Verma, filed a petition under Section 48 E of B. T. Act before the S.D.O., Araria. The informant and his side were aggressors. There is no allegation of assault against the



petitioners but from perusal of the records, it appears that there is specific allegation against Abha Verma, petitioner No.3, that it was she who ordered to kill and on such her husband repeatedly assaulted Baidnath Mandal causing his death.

Considering the nature of allegation made against petitioner No.3, I am not inclined to enlarge petitioner No.3, Abha Verma, on anticipatory bail. Accordingly, the same is rejected.

So far as case of petitioners No.1, 2 and 4 is concerned, of course, they are named in the FIR but no specific allegation of assault is made against them and they are ladies.

Considering the facts aforesaid and the nature of allegation made against the petitioners, the petitioners Nos. 1.Choti Kumari @ Stuti Kumari, 2. Guriya Devi @ Archana Verma and 4. Rambha Devi in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Araria in connection with Kursakanta P.S. case No.250 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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