IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19475 of 2018

Arising Out of PS.Case No. -878 Year- 2017 Thana -MADHEPURA District- MADHEPURA

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1. Rajendra Sah, S/o Late Awadh Sah, null
2. Neelam Devi W/o Rajendra Sah,
3. Manjeet Kumar,
4. Ranjeet Sah @ Ranjeet Kumar
5. Manish Sah All are Sons of Rajendra Sah,
6. Pintu Kumar
7. Bittu Sah Both are Sons of Bishwanath Sah, All are R/o Village- Sahugarh Tola Janki, Ward No. 3 and District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Kamal Kishore Singh
For the Opposite Party/s : Mr. Dr. Indiwar Kumari

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 05-04-2018 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Madhepura P.S. Case No. 878 of 2017 registered for the offences punishable under Sections 341, 323, 307, 379, 427, 506/34 of the Indian Penal Code and 27 of the Arms Act.

The accusation against the petitioners is that they went at the house of the informant and petitioner no. 1 shot an arrow causing head injury to the informant whereas petitioner no. 4 gave debia blow causing injury on his right hand. Furthermore, petitioner no. 5 is said to have opened fire. The occurrence took

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place allegedly at the instigation of petitioner no. 2.

Submission on behalf of the petitioner is that the informant has brought this false case on account of previous land dispute but I am not at all convinced with the aforesaid submission. Petitioner no. 2 is a lady aged about 50 years and, therefore, I think it proper to grant privilege of anticipatory bail to petitioner no. 2, namely, Neelam Devi and, accordingly, it is ordered that in the event of her arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhepura in Madhepura P.S. Case No. 878 of 2017 subject to condition as laid down under Section 438(2) of the Cr.P.C.

So far as remaining petitioners are concerned, they must surrender before the trial court within six weeks and seek regular bail, before the court below and, if they do so, the same shall be considered on its own merit without being prejudiced by this rejection order. In the aforesaid manner prayer for bail of the remaining petitioners stands rejected.

(Hemant Kumar Srivastava, J)

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