

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59880 of 2017

Arising Out of PS.Case No. -244 Year- 2016 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

1. Micky Devi, Daughter of Gauri Shankar Singh
2. Pintu, Son of Uma Shankar Singh,
Both are Residents of Village- Shitalpatti, P.S.- Chiraiya, District- East
Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.56735 of 2017

Arising Out of PS.Case No. -244 Year- 2016 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

Gauri Shankar Singh, Son of Late Ram Prasad Singh, Resident of Village-
Shital Patti, P.S. Chiraiya, District East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.59880 of 2017)

For the Petitioner/s : Mr. Anang Mohan Sinha, Advocate.

For the Opposite Party/s : Md. Arif, A.P.P.

(In Cr.Misc. No.56735 of 2017)

For the Petitioner/s : Mr. Anang Mohan Sinha, Advocate.

For the Opposite Party/s : Md. Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 01-02-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Chiraiya P.S.

Case No. 224 of 2016 instituted for the offence under Sections 147,
148, 149, 323, 324, 307, 302, 427, 504 and 506 of the Indian Penal



Code.

In the written report there is specific allegation against co-accused Gauri Shankar Singh of assaulting father of the informant with *Dhab*. It is further alleged in the written report that the informant along with his father had gone to distribute invitation card and when they reached at the door of Awdhesh Singh, all of sudden, Uma Shankar Singh, Gauri Shankar Singh, Chintu, Pintu and other female members as named in the written report brutally assaulted the informant and his father on account of which his father died.

Case diary has been received.

Post mortem report of father of the informant available in paragraph-37 of the case diary shows that he sustained several injuries on his person caused by hard and blunt object.

Therefore, this Court is not inclined to grant anticipatory bail to petitioner No. 2 of Cr. Misc. 59880 of 2017 and petitioner of Cr. Misc. 56735 of 2017.

Prayer for bail of petitioner No. 2 namely, Pintu, of Cr. Misc. No. 59880 of 2017 and petitioner of Cr. Misc. 56735 of 2017 is hereby rejected.

Both petitioners may surrender before the court below and make prayer for regular bail which shall be considered by the court below in accordance with law without being prejudiced by this order.

So far prayer for bail of petitioner No. 1 of Cr. Misc. 59880 of 2017 is concerned, she being a lady, prayer for anticipatory



bail of petitioner No. 1 of Cr. Misc. 59880 of 2017 is allowed. In the event of surrender/arrest of the petitioner No. 1 of Cr. Misc. 59880 of 2017, named above, within six weeks from today, in connection with **Chiraiya P.S. Case No. 244 of 2016**, she shall be released on anticipatory 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, Sikrahna at Dhaka**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and her absence on two consecutive dates without proper and reasonable reason will be liable to cancel her bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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