

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25901 of 2018

Arising Out of PS.Case No. -208 Year- 2017 Thana -PARASBIGHA District- JEHANABAD

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1. Budhiya Devi, W/o Late Ramkrit Yadav,
2. Jharokhni Kumari D/o Gehuman Yadav @ Akhilesh Yadav Both R/o
Vill.- Mishrabigha, P.S.- Parasbigha, Distt.- Jehanabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 21-06-2018 Heard learned counsel for the petitioners, learned

counsel for the informant as well as learned Additional Public

Prosecutor for the State.

Petitioners apprehend their arrest in connection with

Parasbigha P.S. Case No. 208 of 2017 registered for the offences

punishable under Section 302 and other allied sections of the

Indian Penal Code and Section 27 of the Arms Act.

Petitioners are named in the first information report

but no specific overt act has been attributed against them and it is

only stated that they were members of unlawful assembly. The

prosecution claimed that FIR named accused as well as some

others total fifteen in numbers attacked on the house of the



informant and assaulted the inmates of the house as a result of which two persons died on the spot and one person died in course of treatment.

Submission on behalf of the petitioners is that petitioner no. 1 is an old lady whereas petitioner no. 2 is an unmarried girl and as a matter of fact, they have been implicated in this case on account of previous land dispute which is admitted in the F.I.R. itself.

From perusal of para-72 of the case diary it would appear that statement of one injured, namely, Surishtha Kumar has been incorporated by the investigating officer. The aforesaid injured though named the petitioners as member of mob but has not stated regarding any role played by the petitioners.

Considering the aforesaid facts and circumstances as well as submissions of the parties, particularly, keeping in mind that petitioner no. 1 is an old lady and petitioner no. 2 is an unmarried girl, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate,



Jehanabad in Parasbigha P.S. Case No. 208 of 2017 subject to
conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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