

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41379 of 2018

Arising Out of PS.Case No. -169 Year- 2014 Thana -BOCHHA District- MUZAFFARPUR

- =====
1. Punam Devi, W/o Sunil Mahto,
 2. Indra Devi, W/o Ram Narayan Mahto, Both R/o Vill.- Kanhara Hardas,
P.S.- Bochaha, Distt.- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 18-07-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Bochahan P.S.**

Case No.169 of 2014 instituted for the offence under Section(s)
341, 323, 504, 313/34 Indian Penal Code.

Counsel for the petitioners submits that occurrence
is said to have taken place on 12.05.2014, whereas, First
Information Report has been lodged on 03.06.3014 after delay of
twenty days.

In the *fard-e-beyan*, it is alleged that this petitioner
assaulted the informant on her abdomen with leg on account of
which bleeding took place. The informant later on learnt that
miscarriage has taken place.



Counsel for the petitioner submits that there is no medical report of the victim. He has further submitted that earlier to this case Bochahan P.S. Case No. 85 of 2014 was instituted by this informant against the husband of petitioner no.1 under Section 376 Indian Penal Code alleging that he has committed rape with her on account of which she became pregnant in which husband of the petitioner no.1 has already been granted anticipatory bail by order dated 26.05.2016 passed in Cr. Misc. No.17336 of 2016.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Bochahan P.S. Case No.169 of 2014**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate-cum-Sub Judge 11th, Muzaffarpur**, 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) petitioners shall cooperate in the trial and shall be present on each and every date fixed by



the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds and (3) if petitioners tamper 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 petitioners.

JA/-

(Sanjay Priya, J)

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