

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66052 of 2018

Arising Out of PS. Case No.-153 Year-2018 Thana- RAJAON District- Banka

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1. Yashoda Devi Wife of Dinesh Das
2. Chandan Das Son of late Jafru Das
Both Resident of Village Parghari, P.S. Rajoun, Distt. Banka.
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey
For the Opposite Party/s : Mr. Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-11-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 149, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

The prosecution case, in short, is that while the informant went to his in-law's house, the accused persons assaulted him and also took out money from his pocket.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Petitioner no. 1 is alleged to have assaulted the informant with farsa but from perusal of the injury report, it appears that injury has been caused by hard and blunt substance. Petitioner no. 1 is a lady. So far as petitioner no. 2 is concerned, there is general and omnibus



allegation alleged against him.

On behalf of the State, it is submitted that the petitioner no. 2 is alleged to have assaulted the informant with lathi and the injury report corroborates with the allegation made in the F.I.R.

Considering the above, I am not inclined to grant anticipatory bail to petitioner no. 2. His prayer for bail is rejected. If he surrenders in the Court below and prays for regular bail, the same shall be considered on its own merit without being prejudiced by this order.

So far as petitioner no. 1 is concerned, let petitioner no. 1, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No. 153/18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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