

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.75070 of 2018

Arising Out of PS. Case No.-493 Year-2018 Thana- KAHALGAON District- Bhagalpur

1. Sarli Devi @ Parmila Devi, Wife of Shankar Yadav,
2. Shankar Yadav, Son of Gyanchand Yadav @ Gyanchandra Yadav,
3. Kundan Yadav, Son of Shankar Yadav, All of Village-Ramjanipur, P.S.- Shivnarayanpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra

For the Opposite Party/s : Mr. Navin Kr. Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-12-2018 Heard learned counsel for the petitioners and the

counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Kahalgaon (Shivnarayanpur) P.S. Case No.493 of 2018 for the offence under Sections 341, 323, 324, 307, 354A, 504, 506, 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner No. 1 is a lady. Learned counsel for the petitioners further submits that so far as petitioner No.3 is concerned there is allegation of giving Bhala blow. So far petitioner No.2 there is no allegation of any overt act causing injury to any person.

Considering the aforesaid, the Court is inclined to grant privilege of anticipatory bail to the petitioner No. 1 Sarli Devi @ Pramila Devi and petitioner No.2 Shankar Yadav, let the petitioners No. 1 and 2 above named, in the event of arrest or



surrender within one month from today, be released on 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 Court of learned Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon (Shivnarayanpur) P.S. Case No.493 of 2018 subject to the conditions as laid down under Section 438 Cr.P.C.

So far as petitioner No. 3 is concerned, the Court is not inclined to grant indulgence to the petitioner No. 3. Accordingly, application for grant of anticipatory bail is hereby dismissed. However, petitioner No.3 shall be at liberty to surrender before the lower Court and in the event, the petitioner No. 3 surrender before the Court below and prays for regular bail, the Court below is hereby directed to dispose of the application for regular bail of the petitioner No. 3 on the same day in accordance with law without being influenced by dismissal of this application. The Court below is also directed to examine the injury attributed to the petitioner No.3 at the time of deciding his regular bail.

(Anil Kumar Upadhyay, J)

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