

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38616 of 2018

Arising Out of PS. Case No.-238 Year-2017 Thana- PIPRA District- East Champaran

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1. Umara Wati Devi @ Bhakini, W/o Paras Sah,
 2. Shashikala Kumari D/o Paras Sah,
 3. Rajesh Sah S/o Paras Sah,
 4. Dilip Kumar S/o Paras Sah, All residents of Vill.- Jahingra Gachi Tola, P.S.- Pipra, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Sri Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-08-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Pipra P.S. case no.
238 of 2017 instituted for the offence under Section(s) 341,
323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
both parties are agnates and occurrence has taken place on
account of land dispute. It is alleged that petitioner no.3,
namely, Rajesh Sah gave farsa blow on the head of informant
causing cut and bleeding injury. Petitioner no.1, namely,
Umarawati Devi @ Bhakini is alleged to have assaulted Kavita
Devi by Mungari and petitioner no.2, namely, Shashikala



Kumari is alleged to have committed theft of Mangal -Sutra of Kavita Devi. There is no any specific allegation of overt act against petitioner no.4, namely, Dilip Kumar. The learned Sessions Judge, East Champaran, Motihari, has mentioned in the impugned order that injury reports of three injured persons, namely Naveen Kumar, Dinesh Prasad and Kavita Devi are mentioned in para 21, 22 and 23 of the case diary and all the injuries were found to be simple in nature caused by hard and blunt substance.

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 Pipra P.S. case no. 238 of 2017, 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 CJM, Motihari, East Champaran, 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 absence on two consecutive dates without



proper and reasonable reason will automatically cancel bail bond of the petitioners 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.

(Sanjay Priya, J)

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