

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.69407 of 2018

Arising Out of PS. Case No.-201 Year-2018 Thana- JHAJHA District- Jamui

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- 1. Rakesh Kumar, Son of Suresh Ram,
 - 2. Rinki Devi, D/o Suresh Ram,
 - 3. Nirva Devi, Wife of Suresh Ram,
- All resident of Village- Naukadih Ghu Ghanriya, P.S.-
Jhajha, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Adv.

For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 19-12-2018 Mr. Niranjan Parihar, the learned counsel for the

petitioners, after some arguments, seeks permission to

withdraw this case with respect to petitioner No. 1/Rakesh

Kumar in order to enable him to appear before the Court

below and seek regular bail.

The prayer for anticipatory bail of petitioner No. 1

is, therefore, dismissed as withdrawn with the aforesaid



liberty.

In case, such a petition is filed before the Court below by petitioner No. 1 within a period of four weeks from today, the Court below shall take into account that the occurrence took place between the family members and the allegation against him is general and omnibus and that one of the similarly situated co-accused persons has been granted regular bail by the Court below, and, thereafter, shall pass orders in accordance with the law, without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

The petitioner Nos. 2 and 3 seek bail in anticipation of their arrest in connection with Jhajha P.S. Case No. 201 of 2018, dated 04.06.2018, instituted for the offences under Sections 147, 149, 341, 325, 307 and 504 of the Indian Penal Code.

The petitioner Nos. 2 and 3 are alleged to have assaulted the other family members of the informant leading to injuries to about four of them. There is no specific act of assault on either petitioner No. 2 and petitioner No. 3, who



are ladies. The background facts indicate that there was a fight between two brothers in which other members of the family participated. The petitioner No. 3 has also filed a complaint against the informant and others about which reference has been made in this petition.

Considering the aforesaid facts as also taking into account that petitioner Nos. 2 and 3 above named are ladies having no criminal antecedents, they, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present order, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Jhajha P.S. Case No. 201 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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