

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2915 of 2019

Arising Out of PS. Case No.-270 Year-2018 Thana- ALOULI District- Khagaria

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1. Shyama Devi wife of Surendra Yadav
 2. Punam Devi wife of Mikandar Yadav
 3. Surendra Yadav son of Anandi Yadav
- All are resident of village-Hathwan,P.S-Alauli,Distt.-Khagaria

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Rajesh Kumar(APP 48)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 23-01-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Alauli P.S. Case No. 270 of 2018, G.R. No. 2295 of 2018 registered for offence punishable under sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code.

On account of land dispute it has been alleged that the petitioners and others have assembled and started cutting maize crops of the informant and when they were prevented, they assaulted the victim by different weapons including the fire arms.

The learned counsel for the petitioners submits that petitioner nos. 1 and 2 are lady and they have not actively



participated in the aforesaid occurrence, they are merely members of mob and similarly Surendra Yadav (petitioner no. 3) has also not done anything and there is no specific allegation against him.

Looking to the fact that the petitioner nos. 1 and 2 are lady, their prayer for bail is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/-each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria in connection with Alauli P.S. Case No.270 of 2018, G.R. No. 2295 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

So far petitioner no. 3 is concerned, his prayer for bail is rejected. However, if he surrenders and prays for regular bail, the court below without being prejudiced by this order will take



decision in accordance with law.

(Shivaji Pandey, J)

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