

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8172 of 2019

Arising Out of PS. Case No.-128 Year-2018 Thana- SRINAGAR District- West Champaran

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1. Suganti Devi, aged about 35 years (F), W/o Awadh Patel.
 2. Sumitra Devi, aged about 45 years(F), W/o Tulsi Patel
 3. Moti Devi @ Mati Devi aged about 40 years (F) W/o Kapil Patel
 4. Gallu Patel @ Tejnarayan Patel, aged about 35 years, (M) S/o Chandrika Patel
 5. Prem Patel @ Prem Kumar Patel, aged about 30 years (M) S/o Chandrika Patel
 6. Kanti Devi @ Shanti Devi, aged about 50 years (F) W/o Chandrika Patel
All Resident of Village - Pujaha, Patjirwa, P.S.- Srinagar Pujaha, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 13-02-2019 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 353, 504 of the Indian Penal Code.

The police had gone to investigate a case bearing Srinagar Pujaha P.S. Case No.127 of 2018 lodged by Ramadhar Prasad Singh against the petitioners. Allegation is



that the petitioners and others attacked on the police party variously armed; rather committed assault against the informant police officer with farsa and lathi. The doctor has found lacerated wound on the head of the informant besides another injury.

Considering the nature of allegation, which apparently shows that the accused persons were indulged in taking the law in their own hands, I am not inclined to enlarge petitioners, namely, Gallu Patel @ Tejnarayan Patel and Prem Patel @ Prem Kumar Patel.

Taking special consideration in the matter of some of the petitioners, who are female, namely, Suganti Devi, Sumitra Devi, Moti Devi @ Mati Devi and Kanti Devi @ Shanti Devi, let them, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court-below where the case is pending in connection with Srinagar (Pujaha) Police Station Case No. 128 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the



petitioner shall fully cooperate with the investigation of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

In the event of surrender of the petitioners, whose prayer for anticipatory bail has been refused, the prayer for regular bail shall be disposed of without being prejudiced by the order of this Court.

Accordingly, this application is partly allowed and partly dismissed.

(Birendra Kumar, J)

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