

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6464 of 2019

Arising Out of PS. Case No.-141 Year-2017 Thana- ALAMNAGAR District- Madhepura

1. VIBHA DEVI Wife of Phudal Rajak
2. Khushbu Devi Wife of Ajay Rajak
Both resident of Village - Khapur, P.S. - Alamnagar (Ratwara O.P.) District
Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-04-2019 Heard the parties.

The petitioners are apprehending their arrest in connection with Alamnagar P.S.Case No.141 of 2017 , registered for offences punishable under Sections 341, 323, 307, 302/34 of the Indian Penal Code.

Allegation against the petitioners and other accused persons is that they have assaulted the informant and his father by '*lathi*' and '*danda*'.

Submission of the learned counsel for the petitioners is that they are ladies and no specific allegation of assault is against them.

Heard learned A.P.P. , who has opposed the pryaer for bail



on the ground that the processes under Sections 82 and 83 of the Cr.P.C. has already been received against these petitioners and the postmortem report shows two injuries over the person of deceased. .

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with direction to the petitioner to surrender within a period of six weeks from the date of order before the learned court below and the learned court below shall examine as to whether the processes under Sections 82 and 83 of the Cr.P.C. has been exhausted or not and if the processes under Section 82 and 83 of the Cr.P.C. has not been exhausted, let the petitioner be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) in connection with Alamnagar P.S.Case No.141 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure, otherwise he is free to pass any other order or orders..

With the aforesaid direction, this application is allowed.

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(Vinod Kumar Sinha, J)

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