

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10343 of 2019

Arising Out of PS. Case No.-122 Year-2018 Thana- PARIHAR District- Sitamarhi

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1. HARISHCHANDRA SAH @ HARICHANDAR SAH, S/O Lakshman Sah
 2. Geeta Devi @ Rampari Devi, W/O Lakshman Sah
 3. Rupa Devi, D/O Lakshman Sah,
All Resident of Village- Indarwa, Ward No. 5, P.S.- Parihar, DIST-
SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar
For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-02-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

Petitioners are seeking anticipatory bail in connection with Parihar P.S. Case No. 122 of 2018 registered for the offences punishable under Sections 147, 149, 323, 325, 354, 379, 447, 504, 506 and 307 of the Indian Penal Code.

Learned counsel for the petitioners submits that the accused no.1 in the present case is first cousin of the informant and they have got some bad relationship. The present FIR has been lodged on false and frivolous allegations. It is submitted that although there are allegations of assault against accused no.1 by brick on the head of the informant, however, the



allegations against petitioner nos.2 and 3 are general and omnibus.

Learned counsel for the informant has appeared and opposed the prayer for anticipatory bail on the ground inter alia that the injury nos. 1 and 2 are grievous in nature, whereas injury no.3 is simple in nature.

Learned APP for the State is present.

Considering the facts and circumstances of the case as there is a specific allegation against Harischandra Sah (petitioner no.1) that he had assaulted on the head, I am not inclined to grant anticipatory bail to him. His prayer is, thus, rejected. In case, he surrenders and prays for regular bail in the court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

So far as petitioner nos. 2 and 3 are concerned, since they are lady members of the family and the allegation against one of them is general and another that she had assaulted on the right hand and the same allegation is attributed to one more accused, I am inclined to grant privilege of anticipatory bail to the petitioner nos. 2 and 3. Let, in case of arrest or surrender of the petitioner nos.2 and 3 within a period of four weeks from



today, the abovenamed petitioner nos. 2 and 3 be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Parihar P.S. Case No. 122 of 2018, subject to the condition that they shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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