

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9809 of 2019

Arising Out of PS. Case No.-144 Year-2018 Thana- SINGHIYA District-
Samastipur

- =====
1. Geeta Devi, female, aged 45 years, Wife of Suresh Yadav
 2. Pradeep Yadav, male, aged 20 years, Son of Suresh Yadav
- Both Resident of Village – Singhiya, P.S. Singhiya, District- Samastipur.
... .. Petitioners

Versus

The State of Bihar Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Sada Nand Roy, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 19-02-2019

Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the
offences alleged under Sections 341, 323, 447, 324, 307, 504,
354/34 of the Indian Penal Code registered in connection with
Singhiya P.S. Case No. 144 of 2018.

3. It is submitted that the petitioners have been falsely
implicated in the backdrop of family dispute and the parties are
all related to each other. Even in the past there is case and
counter case between the parties.

4. Considering that the petitioner no. 2, Pradeep Yadav
who is alleged to have hit the informant on the head, leg, and
body of the informant with *tengari* and the injury report of the
informant discloses incised wound on left side of skull, anterior
part of skull and on the left arm as well as left ankle of the
informant, this Court is not inclined to grant the privilege of
anticipatory bail to the petitioner no. 2. The anticipatory bail
petition of petitioner no. 2 stands rejected.

5. Considering that petitioner no. 1, Geeta Devi who is



the *bhabhi* of the informant is said to have attacked him with *khanti* but which hit on his shoulder is not supported by the injury report which does not disclose any injury on the shoulder, in the event of arrest or surrender by petitioner no. 1 before the court below within six weeks from the date of communication of this order, let the above named petitioner no. 1, Geeta Devi be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-X, Rosera, Samastipur in connection with Singhiya P.S. Case No. 144 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner no. 1.

(ii) That the petitioner no. 1 shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner no. 1 shall cooperate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner no. 1 shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Ibrar/Chandran

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