

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18761 of 2019

Arising Out of PS. Case No.-81 Year-2018 Thana- GAMAHARIYA District- Madhepura

1. Pano Devi (aged about 60 years, Gender-Female) Wife of Nand Kishore Rishideo
 2. Sushila Devi (aged about 45 years, Gender-Female) Wife of Surendra Rishideo
 3. Sangita Devi, (aged about 42 years, Gender-Female) Wife of Sulendra Rishideo
- All resident of Village - Jiwachhpur, Ward No. - 2, P.S.- Gamharia, District Madhepura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Pawan Kumar, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 28-03-2019 As prayed, learned counsel for the petitioners is permitted to make corrections in the name of the husband of petitioner no. 3 as “Sulendra Rishideo” in place of incorrectly typed as “Surendra Rishideo” in the petition in course of the day.

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

3. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 324, 325, 307, 504 and 34 of the Indian Penal Code registered in connection with Gamharia P.S. Case No. 81 of 2018.

4. It is submitted that the petitioners have been falsely implicated as the accusation of assault is general and omnibus in nature. The petitioner no. 1 is said to have assaulted the informant with lathi but the injury report does not disclose any injury to support the allegation of assault with knife. The present first information



report has been instituted in retaliation to earlier FIR in Madhepura (SC/ST) P.S. Case No. 20 of 2018 instituted by the petitioner no. 1. The petitioners are all ladies claiming clean antecedents.

5. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Madhepura in connection with Gamharia P.S. Case No. 81 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall be well represented in court on each and every date during trial except as and when directed by the learned court to be physically present, and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/-

(Vikash Jain, J)

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