

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 23313 of 2019

Arising Out of P.S. Case No.-105 Year-2018 Thana- HATHORI District- Samastipur

1. Rajveer Mandal aged about 22 years (Male) Son of Ram Chandra Mandal Resident of Village - Rajaur, Shivajee Nagar, P.S.- Hathori (Shivajee Nagar O.P.), District - Samastipur.
2. Ramkasi Devi @ Ram Kathi Devi aged about 58 years (Female) Wife of Ram Chandra Singh Resident of Village - Rajaur, Shivajee Nagar, P.S.- Hathori (Shivajee Nagar O.P.), District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vinay Kumar Mishra, Advocate
For the State	:	Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 16-07-2019

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

2. The petitioners apprehend arrest in connection with Hathori PS Case No. 105 of 2018 dated 06.10.2018 instituted under Sections 307, 323, 324, 341, 354(B), 379, 447, 504 and 506/34 of the Indian Penal Code.

3. The allegation against the petitioners and two others is of assault which specifically against the petitioner no. 1 of attack on head by knife and against another co-accused, there is allegation of snatching *Mangal Sutra*, whereas against petitioner



no. 2 it is general and omnibus that she was also using abusive language along with the accused.

4. Learned counsel for the petitioners submitted that there is case and counter case and even the so called blow inflicted on the head of the victim, which is alleged to have been made by the petitioner no. 1, the injury is simple in nature. With regard to petitioner no. 2, it was submitted that she is a lady aged about 52 years and there is also no substantive allegation against her except that she had also abused.

5. Learned APP submitted that even though the injury may be simple in nature but the knife blow being inflicted on the head of the victim by the petitioner no. 1 clearly indicates that the intention was to kill. However, with regard to petitioner no. 2, he fairly admitted that there is no allegation except that she also abused the informant and others.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner no. 2 namely, Ramkasi Devi @ Ram Kathi Devi be released on anticipatory bail upon furnishing bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate



1st Class, Rosera, Samastipur in Hathori PS Case No. 105 of 2018,
subject to the conditions laid down in section 438 of the Code of
Criminal Procedure, 1973.

7. The prayer for anticipatory bail on behalf of the
petitioner no. 1 namely, Rajveer Mandal, stands rejected.

(Ahsanuddin Amanullah, J.)

Anand Kr.

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