

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34186 of 2019

Arising Out of PS. Case No.-482 Year-2018 Thana- MADHAURAH District- Saran

1. Vina Devi, D/O Shyamnandan Sharma, Resident of Village - Bardahia, P.S.- Morhowrah, Distt - Saran.
2. Suman Devi, D/O Shyamnandan Sharma, Resident of Village - Bardahia, P.S.- Morhowrah, Distt - Saran.
3. Purshotam Kumar, Son of Jayshankar Prasad Pandey, Resident of Village - Muharrampur, P.S.- Garkha, Distt - Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sarv Dev Singh, Advocate
		Mr. Rajesh Kumar, Advocate
		Mr. Sanjay Kumar, Advocate
For the Opposite Party/s :		Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-08-2019 This is an application for grant of anticipatory bail in connection with Marhowrah P.S. Case No.482 of 2018, disclosing offences under Sections 302, 34, 120B of the Indian Penal Code.

It appears from the F.I.R. that the deceased came to his house and came to know that accused persons has got more land in their share by measurement and on that accused persons have assaulted the deceased by fists and slaps and later on, a case has been lodged against the deceased, due to which, he left the house. On the day of occurrence, accused persons including the petitioners variously armed came to his house and assaulted



him and succeeded in fleeing away, but all the accused persons surrounded him and started assaulted the deceased with lathi and danda and villagers were threatened not to save him.

Submission of the learned counsel for the petitioners is that the whole allegation is false and concocted. No specific allegation has been attributed against any of the petitioners. Further submission is that other accused persons have been granted privilege of anticipatory bail by different Co-ordinate Benches of this Court.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances, as stated above, so far as, petitioners no. 1 & 2 are concerned, being ladies, let petitioners no.1 and 2, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Saran, in connection with Marhowrah P.S. Case No.482 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

So far as petitioner no.3 is concerned, I am not



inclined to grant privilege of anticipatory bail to him. However, he may surrender before the learned court below and make prayer for regular bail, the same shall be considered by the learned court below on the basis of materials available on the record as well as submission of learned counsel for the petitioner that other co-accused persons have been granted privilege of anticipatory bail, and if possible to be disposed of on the same day.

Withe the aforesaid, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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