

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 35983 of 2019

Arising Out of PS. Case No.-462 Year-2018 Thana- DUMRA District- Sitamarhi

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1. Anita Devi, aged about 42 years, female, Wife of Ram Sagar Sah
 2. Deepak Kumar, aged about 23 years, male, Son of Ram Sagar Sah
 3. Bhola Kumar alias Chandra Bhushan Kumar, aged about 20 years, male, son of Ram Sagar Sah
 4. Laxmi Kumar, aged about 28 years, male, Son of Mishrilal Sah @ Mishri Lal Prasad
- All Residents of Village - Banchauri, P.S.- Dumra, Distt - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan, Adv.

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-06-2019 Heard learned counsel for the petitioners and learned counsel for the State.

The prosecution case as per the FIR is that one Tetari Devi gave her fardbeyan on 01.11.2018 before the Dumra Police Station within the purview of an allegation that on the same day at 7 A.M. while she was going to the boring near the Middle School, the accused Laxmi Kumar gave a voice to her and called her upon which the informant told him that he has to deliver the oil for running of the boring as the watering in the paddy field is going on. Thereafter, he tried to pull her Saree and also dragged her towards the sugarcane field and thereafter the



informant raised allegation then he caught hold her hair and got her down on the earth and shut her mouth. Due to raising alarm by the informant, the same was heard by her husband who was in the filed and he saved her. Thereafter, the informant and her husband went to the house of Laxmi Kumar upon which the family members of Laxmi Kumar objected the act of the informant and they started assaulting her and when she tried to flee away the accused Bhola Kumar gave slap to her so she became unconscious and he also gave rod blow on her chest and she became unconscious and her husband brought to her hospital where treatment is going on.

I have gone through the records. There are no specific allegation against the petitioner Nos. 1, 2 and 3.

Let the petitioner Nos. 1, 2 and 3, above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Dumra Police Station Case No. 462 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure



as well as condition that the petitioners shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

The prayer for anticipatory bail of the petitioner no. 4 is rejected with a direction to appear before the court below and the court below may pass appropriate order on the same day if the petitioner files regular bail petition.

This application is disposed of.

(Anjani Kumar Sharan, J)

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