

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59777 of 2018

Arising Out of PS. Case No.-61 Year-2018 Thana- SHAMBHUGANJ District- Banka

1. Ramsati Devi W/o Late Laxmi Kant Jha
2. Bandana Devi, W/o Nishikant Jha,
Resident of Village- Badi Khajuri, P.S. Shambhuganj, District- Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha

For the Opposite Party/s : Mr.Sri Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-04-2019 Heard the parties.

The petitioners are apprehending their arrest in connection with Shambhuganj P.S.Case no.61 of 2018 dated 5.4.2018 corresponding to G.R.No.1109 of 2018 , registered for offences punishable under Sections 147, 148, 149, 341, 323, 307 and 504 of the Indian Penal Code.

Allegation against the petitioners , who are ladies and nine other persons is of assaulting by *Lathi*, *Danda* and *Khanti* to the informant and when his aunt came to save him, she was also assaulted brutally . It is said that thereafter both of them were taken to Mayaganj Hospital, Bhagalpur and from Mayaganj Hospital, she was referred to PMCH, Patna, where she died.



Submission of the learned counsel for the petitioners is that the allegations are general in nature and nothing specific has been attributed against them and the deceased has only three injuries on her person.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground that the prayer for anticipatory bail of another co-accused, Mira Devi, was rejected by a Co-ordinate Bench of this Court, vide order dated 28.09.2019 passed in Cr.Misc. No.57586 of 2018 and he has pointed out that prayer for anticipatory bail of other accused persons, who are male member, has also been rejected by this Court, however, the learned counsel for the informant has concealed that in order dated 28.09.2019 in Cr. Misc. No.57586 of 2018 it is clearly mentioned that there was dying declaration of the informant but that appears to be error of record.

Having heard both sides and in view of the facts and circumstances especially considering the fact that the petitioners are ladies and no specific allegation has been attributed against them, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on



furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Banka in connection with Shambhuganj P.S.Case no.61 of 2018 dated 05.04.2018 corresponding to G.R.No.1109 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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