

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40905 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- TURKAULIYA District- East Champaran

1. Raj Kumari Devi Wife of Lalta Sah, Resident of Village-Singhiya Sagar, P.S-Banjaria, District-East Champaran.
2. Guddu Kumar Son of Lalta Sah, Resident of Village-Singhiya Sagar, P.S-Banjaria, District-East Champaran.
3. Anil Sah @ Anil Kumar Son of Lalta Sah, Resident of Village-Singhiya Sagar, P.S-Banjaria, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 04-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Turkauliya (Banjariya) P.S. Case No.38
of 2019 registered for offence punishable under sections 341,
323, 307, 379/34 of the Indian Penal Code.

Allegation has been made by the informant, he is
serving in Indian Air Force and purchased a certain land and in
front of that land, on Gairmajarua land, one Anil Kumar
constructed a thatched house. When the informant made
complaint to the Anchaladhikari, who went there and tried to



remove encroachment whereupon all the family members including female came with sickle and different weapons and started resisting to remove the same. As per the informant, when he came to save Circle Officer whereupon Anil Sah, Lalta Sah, wife of Lalta Sah, wife of Anil Kumar, other two sons of Lalta Sah including neighbours have assaulted the informant with intention to kill him.

Looking to the entire facts and circumstances of the case, the prayer for bail of the petitioner no. 1 is allowed and she, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari East Champaran in connection with Turkauliya (Banjariya) P.S. Case No. 38 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make herself available as and when required by the court.



So far petitioner nos. 2 and 3, their prayer for bail is rejected. However, if petitioner nos. 2 and 3 surrender and pray for regular bail, the court below without being prejudiced by this order, will take decision in accordance with law.

(Shivaji Pandey, J)

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