

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46083 of 2019

Arising Out of PS. Case No.-80 Year-2019 Thana- DUMRA District- Sitamarhi

1. BHARAT KUMAR SINGH Son of Late Keshwar Singh Resident of Village - Muradpur, P.S.- Dumra, District- Sitamarhi
2. Santosh Kumar Singh Son of Late Keshwar Singh Resident of Village - Muradpur, P.S.- Dumra, District- Sitamarhi
3. Abhinash Kumar @ Abihnash Kumar Singh @ Avinash Son of Late Keshwar Singh Resident of Village - Muradpur, P.S.- Dumra, District- Sitamarhi
4. Lalita Devi Wife of Bharat Kumar Singh Resident of Village - Muradpur, P.S.- Dumra, District- Sitamarhi
5. Ruby Devi Wife of Santosh Kumar Singh Resident of Village - Muradpur, P.S.- Dumra, District- Sitamarhi
6. Manju Devi Wife of Late Keshwar Singh Resident of Village - Muradpur, P.S.- Dumra, District- Sitamarhi
7. Sima Devi Wife of Amarnath Singh and D/O- Late Keshwar Singh Resident of Village - Muradpur, P.S.- Dumra, District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 20-11-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Dumara P.S. Case NO. 80 of 2019, disclosing offences under Sections 147,149,341,323,324,504,506,354 and 379 of the Indian Penal Code.

It is alleged in the First Information Report that the named accused persons came to the informant's house and



started abusing her. They are said to have slammed assaulted her with *punches* and *feet*. There is also an allegation that petitioner No.1 attempted to disrobe the informant.

It is apparent from the First Information Report that members of the same family have been implicated including the female members. This is not in dispute that the informant and the petitioners are agnates.

Learned counsel for the informant has attempted to persuade this Court that the petitioners do not deserve anticipatory bail since the informant is a widow and she has been assaulted because she has deposed against them in another criminal case.

It transpires from the submissions made on behalf of the petitioners and in the informant that the parties are on litigating terms.

Considering the facts and circumstances and the background in which the occurrence is said to have taken place, a case for grant of anticipatory bail is made out. This application is allowed.

Let the petitioners above named in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in Dumra P.S. Case No. 80 of



2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

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(Chakradhari Sharan Singh, J)

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