

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47467 of 2019

Arising Out of PS. Case No.-85 Year-2019 Thana- BASOPATTI District- Madhubani

1. RAM SAKHI DEVI Wife of Ram Vilash Das Resident of Village - Arghaba Tole Hanumannagar, P.S.- Basopatti, Distt - Madhubani.
2. Sheela Devi Wife of Suraj Das Resident of Village - Arghaba Tole Hanumannagar, P.S.- Basopatti, Distt - Madhubani.
3. Kavita Devi @ Kavita Kumari D/o Himachal Das @ Deepa Das Resident of Village - Arghaba Tole Hanumannagar, P.S.- Basopatti, Distt - Madhubani.
4. Putul Devi Wife of Surendra Das Resident of Village - Arghaba Tole Hanumannagar, P.S.- Basopatti, Distt - Madhubani.
5. Sugawati Devi Wife of Himachal Das @ Deepa Das Resident of Village - Arghaba Tole Hanumannagar, P.S.- Basopatti, Distt - Madhubani.
6. Surendra Das Son of Ram Vilash Das Resident of Village - Arghaba Tole Hanumannagar, P.S.- Basopatti, Distt - Madhubani.
7. Suraj Das Son of Ram Vilash Das Resident of Village - Arghaba Tole Hanumannagar, P.S.- Basopatti, Distt - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav
For the Opposite Party/s : Mr.Amarendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-07-2019 Learned Counsel for the petitioners submits that during the pendency of this application, petitioner nos. 6 and 7, namely, Surendra Das and Suraj Das, have been arrested and this application, so far as petitioner nos. 6 and 7 are concerned, has become infructuous.

Accordingly, this application, so far as petitioner nos. 6 and 7 are concerned, is dismissed as having become



infructuous.

This application will, now, survive for petitioner nos. 1 to 5 only.

Heard learned Counsel for the petitioner nos. 1 to 5 and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Basopatti Police Station Case No. 85 of 2019, disclosing offences under Sections 341/504/323/307/324/325/379/34 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners, along with other co-accused persons, assaulted the informant and his family members with farsa, lathi, iron-rod etc.

Learned Counsel for the petitioners submits that the petitioners are ladies and all the family members have been made accused in this case. He further submits that there is no specific allegation of assault upon the petitioners and the allegation of assault is against the co-accused persons. He submits that both the parties are neighbours and there is dispute regarding passage. He further submits that the petitioners have no criminal antecedent.

After having heard learned Counsel for the parties and taking into consideration the fact that there is no allegation of



assault against the petitioners and the only allegation against them is that they assaulted the wife of the informant with brooms, I find it a fit case for grant of privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioner nos. 1 to 5, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 5th Additional Chief Judicial Magistrate, Madhubani, in connection with Basopatti Police Station Case No. 85 of 2019, subject to the condition 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.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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