

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55758 of 2019

Arising Out of PS. Case No.-77 Year-2019 Thana- FULKAHA District- Araria

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1. Bebi Devi, Aged about 35 years, Female, Wife of Bipin Yadav, Resident of Village - Achra, P.S.- Fulkaha, Distt - Araria.
 2. Reeka Devi @ Rika Devi, Aged about 65 years, Female, Wife of Samat Lal Yadav, Resident of Village - Achra, P.S.- Fulkaha, Distt - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-09-2019 Heard both sides.

Petitioners apprehend their arrest in Fulkaha P.S. Case No.77 of 2019, registered under Sections 147, 148, 149, 341, 323, 342, 324, 307, 211, 212, 224, 225, 332, 333, 379, 353, 435, 504 and 506 of the Indian Penal Code, Section 45 of the Bihar Prohibition and Excise Act, 2016 as well as under Section 3(i) (r) of Prevention of Atrocities Act.

The informant, S.I. of Fulkaha P.S., alleged that on secret inputs about keeping of liquor in the house of Bipin Yadav, the police went there in order to search the house but Bipin Yadav tried to flee away. Binpin Yadav was apprehended. The informant and other police officials were trying to search a



vehicle bearing Registration No.WB2R-0347 parked on the Darwaza of Bipin Yadav but the petitioners who are ladies and other accused persons having armed with different weapons assembled and got Bipin Yadav freed from the custody of the police. Samat Lal Yadav abused Chowkidar Hareram Harija. Wife of Samat Lal Yadav, Reeka Devi @ Rika Devi, petitioner no.2, came out with a gallon containing petrol and poured petrol on the hut. She also ignited fire. Samat Lal Yadav also assaulted Devi Lal Sah and the accused persons assaulted the police and others.

Learned counsel for the petitioners submits that the petitioners are ladies and there is no allegation of assault against the petitioners but it appears that the petitioners and other accused persons came out from the house after arrest of Bipin Yadav by the police and when the police started searching the vehicle, the accused persons assaulted the police and others and also set ablaze the hut preventing the police from searching the house and vehicle.

Taking into consideration the facts and nature of allegations made against the petitioners, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.



If the petitioners surrender in the learned court below,
the learned court below shall consider the prayer for regular bail
of the petitioners without being prejudiced from the order of
rejection of anticipatory bail.

(Prabhat Kumar Jha, J)

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