

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78952 of 2018

Arising Out of PS. Case No.-103 Year-2018 Thana- TANKUPPA District- Gaya

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1. Manju Yadav Son of Uttim Yadav,
 2. Suma Devi Wife of Manju Yadav, both residents of village- Tilheta, P.S.- Tankuppa, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mrs. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 09-01-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Tankuppa P.S. Case No. 103 of 2018, registered for the offence punishable under Sections 341, 323, 325 and 308 of the Indian Penal Code.

Allegation has been made that the petitioners have assaulted the victim by different weapons.

The petitioner no.2 is the lady and there is no specific role has been attributed to her.

Considering the aforesaid fact, let the petitioner no.2, namely, Suma Devi, be released on anticipatory bail in the event of her arrest or surrender before the learned Court below within



a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-1, Gaya, in connection with Tankuppa P.S. Case No.103 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with a further condition that whenever the police will call the petitioner no.2 for the purposes of investigation and interrogation, she will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

So far the prayer for bail of petitioner no. 1 is concerned, the same is rejected as there is direct allegation against him to have caused the injury on the head of the victim.

However, if the petitioner no.1 surrenders before the Court below within a period of four weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order on the same day without being influenced by the order of this Court.

(Shivaji Pandey, J)

V.K.Pandey/-

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