

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66330 of 2019

Arising Out of PS. Case No.-291 Year-2018 Thana- GOGRI District- Khagaria

1. MANOJ PANDIT Son of Bindeshwari Pandit Resident of Village-Fatehpur, P.S-Gogari, District-Khagaria.
2. Shila Devi Wife of Pappu Pandit Resident of Village-Fatehpur, P.S-Gogari, District-Khagaria.
3. Soni Devi Wife of Balmiki Pandit Resident of Village-Fatehpur, P.S-Gogari, District-Khagaria.
4. Rudal Devi @ Ruda Devi Wife of Bindeshwari Pandit Resident of Village-Fatehpur, P.S-Gogari, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar
For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 07-11-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Gogari P.S. Case no. 291 of 2018, registered under Sections 341, 323, 447, 307 and 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that she goat of the petitioners entered in the chilli filed of the informant Mira Devi then she goat was removed by her daughter-in-law thereupon, Balmiki Pandit @ Rajiv Pandit, Awadhesh Pandit and Manoj Pandit



(petitioner No.1) came and gave threatening to kill and started to cause assault daughter in law of the informant through fist and slaps, when informant Mira Devi rushed to save her daughter in law then the aforesaid persons fired through illegal firearm causing injury at her right elbow. Thereafter, petitioners No. 2 to 4 also reached there and started to abuse her.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that petitioner No.2 to 4 rushed after the occurrence and only allegation against them is to the effect that they also started to abuse the informant. So far as petitioner No.1 is concerned, there is general allegation against him and others that they have fired through pistol causing injury at the right elbow of the informant.

Having regard to the facts and circumstances of the case, let the petitioner Nos. 2, 3 and 4, namely, Shila Devi, Soni Devi and Rudal Devi @ Ruda Devi, respectively, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, 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, Khagaria in connection with Gogari P.S. Case No. 291 of 2018 (G.R. No. 2372 of 2018),



subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

So far as prayer for pre-arrest bail of the petitioner No. 1, namely, Manoj Pandit is concerned, considering the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner No. 1, namely, Manoj Pandit. Accordingly, his prayer for grant of anticipatory bail stands rejected.

(Rajendra Kumar Mishra, J)

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