

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71119 of 2019

Arising Out of PS. Case No.-339 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

1. Munna Mallah @ Munna Chaudhary Son of Ramjee Mallah, Resident of Village - Bagaicha, P.S.- Sonhan, Distt.- Kaimur at Bhabua.
2. Kabita Devi W/o Munna Mallah @ Munna Chaudhary, Resident of Village - Bagaicha, P.S.- Sonhan, Distt.- Kaimur at Bhabua.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr.Ashok Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-12-2019 At the outset, learned counsel for the petitioners submits that out of two petitioners, petitioner no. 1 Munna Mallah @ Munna Chaudhary has already been arrested.

In the aforesaid view of the matter, the application as against petitioner no.1 has become infructuous and it is dismissed accordingly.

Heard learned counsel for the petitioner no. 2 and learned A.P.P. for the State.

Petitioner No. 2 in the present case is seeking anticipatory bail in connection with Bhabua P.S. Case No. 339 of 2019, Gr. No. 1304 of 2019 registered for the offences punishable under Sections 147, 148, 149, 323, 332, 337, 307,



353 and 504 of the Indian Penal Code.

It is submitted that so far as petitioner no. 2 is concerned, there are general and omnibus allegations against her saying that about 30-40 female and male had surrounded Police party when the Police party had gone to arrest the accused and there is no specific allegation against the petitioner no.2.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of this case, let the petitioner no. 2 (Kabita Devi) in the event of her arrest or surrender within a period of four weeks from today be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 339 of 2019, Gr. No. 1304 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any



person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

vats/ved

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