

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71132 of 2019

Arising Out of PS. Case No.-77 Year-2019 Thana- SARAI District- Vaishali

SHILA DEVI @ SEELA DEVI Wife of Shivnath Ram Resident of Village -
Majhauri Mohammadpur Bujurg, P.S.- Sarai, District - Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner in this case is seeking anticipatory bail in connection with Sarai P.S. Case No. 77 of 2019 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 384, 379 & 427 of the Indian Penal Code.

Learned counsel for the petitioner submits that there is no allegation of any specific overt against the petitioner. The petitioner has been made accused in this case in the capacity of a member of mob only who were allegedly assembled at the place of occurrence and indulged in assaulting one Md. Arshad.

Learned APP has opposed the prayer of anticipatory bail.

Considering the facts and circumstances of the case wherein this petitioner is said to be a member of mob who had



allegedly assembled on the place of occurrence along with others and there is a general and omnibus allegation against all the accused that they had indulged in assaulting one Md. Arshad, there being no specific allegation against this petitioner, no specific assault has been attributed to her and the learned Additional Sessions Judge VII, Vaishali has recorded that one injury was found on the body of the said injured which is in the nature of incised wound and there is no injury showing repeated blow given to the said injured, let the petitioner above named in the event of her arrest or surrender within a period of four weeks from today in connection with Sarai P.S. Case No. 77 of 2019 be released on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., XIII-cum-Sub-Judge XIV, Vaishali at Hajipur, subject to the conditions 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)

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