

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75217 of 2019

Arising Out of PS. Case No.-498 Year-2019 Thana- SONEPUR District- Saran

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1. Asha Devi Wife of Ramesh Sharma, Resident of Village - Shahpur Diyara, P.S.- Sonepur, Distt - Saran at Chapra.
 2. Ramesh Sharma Son of late Ramayan Sharma, Resident of Village - Shahpur Diyara, P.S.- Sonepur, Distt - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan
For the Opposite Party/s : Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Sonepur P.S. Case No.498 of 2019 registered for offence punishable under sections 341, 323, 504, 324, 325, 307 and 379/34 of the Indian Penal Code.

Allegation has been made against both the petitioners to have caused injury by farsa and garasa upon the head of informant.

The learned counsel for the petitioners submits that injury nos. 1 and 2 are simple, but the nature of injury, which has been inflicted in the injury report, does not support the opinion. Petitioner no. 1 is lady.

Considering the facts and circumstances of the case, the



petitioner no.1, Asha Devi, in the event of arrest or surrender before the court below within a period of six weeks, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saran at Chapra in connection with Sonapur P.S. Case No.498 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner no.1 shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. She will not induce any witness or tamper with the evidence. She shall cooperate in the disposal of trial and make herself available as and when required by the court.

So far petitioner no. 2, this Court is not inclined to grant bail to him and accordingly his prayer for bail is rejected. However, if he surrenders before the court below and prays for regular bail, the court below without being prejudiced by this order will take decision in accordance with law, preferably on the same day.

(Shivaji Pandey, J)

Mahesh/-

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