

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75277 of 2019

Arising Out of PS. Case No.-140 Year-2019 Thana- BALIYA District- Begusarai

1. Om Prakash Singh Son of Ram Uday Singh
 2. Ram Uday Singh Son of Late Birjo Singh
 3. Nilam Kumari Daughter of Ram Uday Singh
 4. Ahiliya Devi Wife of Ram Uday Singh
- All are resident of village - Sadipur Karari, P.S. -Ballia, District – Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Kumar Kashyap
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

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

In this case, the petitioners are seeking anticipatory bail in connection with Ballia P.S. Case No.140 of 2019 registered for offence punishable under sections 323, 325, 379, 354, 504/34 of the Indian Penal Code.

Allegation has been made that the accused persons assembled, started hurling abuses, assaulted the informant by different weapons, tried to outrage the modesty of the daughter of the informant and snatched the mungalsutra of informant, reason is that the accused persons have greedy eyes over the property of the informant as the informant does not have son



and they do not want that her property should be gone to her daughter.

The learned counsel for the petitioners submits that the allegation of sections 354 and 379 of the Indian Penal Code is a super addition and making a provision of non-bailable and also undertakes that if any criminal case would lodge against the informant, in that circumstance, the relief if any given to the petitioners in the present case, will be treated to have been withdrawn.

In view of the undertaking given by the learned counsel for the petitioners, the petitioners above named, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in connection with Ballia P.S. Case No.140 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 petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in



the disposal of trial and make themselves available as and when required by the court. If any criminal case is lodged by the petitioners with respect to the present informant, the relief granted to the petitioners will be treated to have been withdrawn and the police will have liberty to take the petitioners under jail custody.

(Shivaji Pandey, J)

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