

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82042 of 2019

Arising Out of PS. Case No.-85 Year-2019 Thana- BAIRIYA District- West Champaran

1. Sarswati Devi Wife of Bhagrashan Chaudhary Resident of Village - Bagahi Rampurwa, P.S.- Bairiya, District- West Champaran
2. Udaybhan Chaudhary Son of Rajendra Chaudhary Resident of Village - Tiwari Tola, P.S.- Bairiya, District- West Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Bimlesh Kumar Pandey, Advocate
For the Opposite Party : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioners are apprehending arrest in connection with Bairiya P.S. Case No 85 of 2019 for offences under Sections 147, 148, 149, 447, 341, 323, 324, 325, 379, 354, 504, and 307 of the Indian Penal Code .

Allegation against the petitioners and others is that they assaulted the informant with iron rod on his head and petitioner no. 2 also disrobed the clothe of Meera Devi.

Learned counsel for the petitioners submits that the petitioners have no criminal antecedent and petitioner no. 1 is a lady and is aged about 50 years old.



Considering the aforesaid aspect of the matter, this Court is inclined to grant bail to petitioner no. 1, namely, Sarswati Devi. Let petitioner no. 1, Sarswati Devi, in the event of arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st Class, Bettiah, West Champaran in connection with Bairiya P.S. Case No 85 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

So far as petitioner no. 2, namely, Udaybhan Chaudhary is concerned, this Court is not inclined to grant bail to him. His application is accordingly, dismissed.

However, the petitioner no. 2 is granted liberty to surrender before the court below and pray for regular bail which shall be considered on its own merits on the same day without being prejudiced by the rejection of the present petition.

(Anil Kumar Upadhyay, J)

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