

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3033 of 2020

Arising Out of PS. Case No.-628 Year-2019 Thana- KHAGARIA District- Khagaria

1. LAXMI DEVI, Wife of Gauri Shankar Mahaton
 2. Saurav Mahaton, Son of Gauri Shankar Mahaton
 3. Raj Kiran Mahaton @ Raj Kiran Mahato, Son of Gauri Shankar Mahaton
 4. Shankar Mahaton, Son of Late Balo Mahaton
- All are Resident of Village - Rahimpur Pachkhutti Kurmi Tola, P.S. - Khagaria, (Muffasil), Dist. - Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 24-06-2020 The matter has been taken up through Video Conferencing.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code.

Though allegation is general and omnibus against the petitioners and others of commission of assault, the Doctor has found injury on the head of the most of the injureds.

Learned counsel for the informant opposed the prayer for anticipatory bail.



Considering the fact that **petitioner no. 1 Laxmi Devi** is a female and taking into consideration the special provision for consideration of prayer for anticipatory bail in the matter of female, let the petitioner no. 1 Laxmi Devi, in the event of her arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Khagaria (Muffasil) Police Station Case No. 628 of 2019 corresponding to G.R. No. 2381 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner no. 1 shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner no. 1.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioner no. 1 shall not leave the country without permission of the learned trial court.



I am not inclined to grant anticipatory bail to petitioner no. 2 Saurav Mahaton, petitioner no. 3 Raj Kiran Mahaton @ Raj Kiran Mahato and petitioner no. 4 Shankar Mahaton, who allegedly caused injury at the head of the injured. They may surrender and pray for regular bail.

With the aforesaid observation, this application stands disposed of.

(Birendra Kumar, J)

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