

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7566 of 2020

Arising Out of PS. Case No.-287 Year-2019 Thana- BASOPATTI District- Madhubani

1. Lalita Devi, D/o Bhola Mandal, Resident of Village- Gausnagar, P.S.- Basopatti, Distt- Madhubani.
2. Mina Devi, W/o Bhola Mandal, Resident of Village- Gausnagar, P.S.- Basopatti, Distt- Madhubani.
3. Ranjeeta Devi, W/o Rakesh Mandal, Resident of Village- Gausnagar, P.S.- Basopatti, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 07-07-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners are apprehending their arrest in connection with Basopatti P.S. Case No.287 of 2019 registered



for the offence punishable under Sections 323, 324, 379, 341, 307, 448, 504 and 506/34 of the Indian Penal Code.

The F.I.R. alleges that being instigated by Bhola Mandal, accused Rakesh Mandal hurled *Farsa* blow on the head of the informant. He has thereafter assaulted Rinki Devi when she came to the rescue of the informant.

Learned counsel for the petitioners submits that the petitioners being female agnates of accused Bhola Mandal and Rakesh Mandal, have falsely been implicated in this case. There is no allegation of assault against the petitioners. So far as Petitioner No.1 is concerned, false allegation has been made that she has snatched gold *Mangal Sutra* from the neck of the informant's wife. The petitioners have no criminal antecedents.

Learned APP for the State has opposed the prayer for pre-arrest bail.

Considering the rival submissions, this Court is inclined to allow petitioners' prayer for grant of anticipatory bail.

Accordingly, let all the three petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each



with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 5th, Madhubani/Incharge Successor court, in connection with Basopatti P.S. Case No.287 of 2019, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

(i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

(Madhuresh Prasad, J)

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