

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6561 of 2020

Arising Out of PS. Case No.-106 Year-2019 Thana- CHAUTHAM District- Khagaria

1. NANKI DEVI W/o Birendra Paswan
 2. Raushni Devi W/o Dharmendra Paswan
- Both are Resident of Village- Kharaita, P.S.- Choutham, Distt- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal
For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 25-06-2020 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under Section 379, 341, 323, 504, 506, 307/34 of the Indian Penal Code.

Informant has alleged that on 12.05.2019 at 7:00 p.m., while FIR named accused persons were forcibly fencing the disputed land, he raised objection and on the order of co-accused, Shivbalak Paswan, Dharmendra Paswan attempted to fire on him but the cartridge misfired. Further allegation is that co-accused Dharmendra Paswan assaulted him with rod and danda. It is further alleged that on raising alarm, when father of



the informant came to rescue him, co-accused, Pinku Paswan assaulted the father of informant with spade and other co-accused Jitendra Paswan assaulted on head of his father with *Garsa* as a result of which, his father sustained head injury. It is further alleged that when wife and bhabhi of informant came there, co-accused Preshenjit and other lady assaulted them with lathi, danda and rod and co-accused Rambalak Paswan took away *Mangalsutra* from the neck of his wife.

It has been submitted on behalf of the petitioners that they are innocent and have falsely been implicated in this case due to enmity and village politics. There is admittedly long standing land dispute between the parties. Informant and the petitioners are agnates. There is general and omnibus allegation against these petitioners. Petitioner have no criminal antecedent.

Learned counsel for the informant has vehemently opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances of the case and also the fact that petitioners are lady, let the petitioners named above be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of



learned court below where the case is pending in connection with Choutham P.S. Case No.106 of 2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel their bail bonds.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

Sanjay/-

U		T	
---	--	---	--

