

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15647 of 2020

Arising Out of PS. Case No.-320 Year-2019 Thana- KHAGARIA District- Khagaria

1. REKHA DEVI W/o Vijay Mahto Resident of Village- Mehsauri, P.S.- Khagaria Muffasil, Distt- Khagaria.
2. Kavita Devi W/o Sanjay Mahto Resident of Village- Mehsauri, P.S.- Khagaria Muffasil, Distt- Khagaria.
3. Prema Devi W/o Thunnil Lal Mahto Resident of Village- Mehsauri, P.S.- Khagaria Muffasil, Distt- Khagaria.
4. Kranti Devi W/o Chunchun Mahto Resident of Village- Mehsauri, P.S.- Khagaria Muffasil, Distt- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-07-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

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

The petitioners are apprehending their arrest in a case registered under Sections 147, 149, 341, 323, 504, 506, 427, 436 and 353 of the Indian Penal Code.

Allegedly, while the informant (Circle Officer) had gone



to vacate the land in favour of Purcha Holder, the accused persons obstructed the informant in discharge of his public duty and attacked on one Sita Devi and her sons. It is also alleged that the accused persons set the house constructed on illegal land, on fire.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. The main allegation is against co-accused Nageshwar Mahto. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners.

On behalf of the State, it is submitted that the petitioners are not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 320 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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