

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 10966 of 2020

1. Sangita Kumari, W/o Anand Kumar Das, resident of Guriawam, Tola-
Sarsovaanwabad, P.S. Mohanpur, Distt.- Gaya
2. Sabita Devi wife of Sanjay Das resident of Guriawam, Tola- Sarsovaanwabad,
P.S. Mohanpur, Distt.- Gaya

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha Adv.

For the Opposite Party/s : Mr. Satyendra Prasad, APP.

For the Informant Mr. Ajay Kumar Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3	04-09-2020	Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant, through video conferencing. The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in connection with Barachatti Mohanpur P.S. Case No. 376 of 2019 registered under section 302 and other sections of the Indian Penal Code. As per allegation in the FIR, it is stated that over a dispute between the petitioner no.1 and the villagers over unfurling of national flag, an altercation took place between the parties and later on, eleven named accused persons including the two petitioners herein are stated to have assaulted Kapil Das. It is further stated that co-accused Dilip Das, caused injury to the informant's brother with a knife, causing his death.
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		It is submitted by learned counsel for the petitioners that the petitioners, who are ladies, have been falsely implicated in the case. There is general and omnibus allegation against them and in the FIR itself, the specific allegation is against one Dilip Das and not the petitioners. The petitioners have no criminal antecedent. The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that from perusal of the FIR itself, it would transpire that petitioner no. 1 is a Anganbadi Sevika and cause of dispute was for the reason of differences between the said petitioner no. 1 and the villagers. Thus, the person behind the occurrence is the petitioner no. 1, which led to the death of the brother of the informant. Thus, it is not a case for anticipatory bail. Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioners, the allegations against the petitioners being general and omnibus in nature and they being females, having no criminal antecedent, the Court is inclined to enlarge the petitioners on anticipatory bail. The petitioners are directed to surrender in the Court below within a period of eight weeks from today and in the event of their arrest or surrender in connection with Barachatti (Mohanpur) P.S. Case No. 376 of 2019, they shall be enlarged on
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		bail on each of them on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Sherghati, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.
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(Partha Sarthy, J)

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