

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.11588 of 2020

Arising Out of PS. Case No.-210 Year-2019 Thana- SUPPI District- Sitamarhi

1. Madan Sah @ Mandan Sah Son of Late Hira Lal Sah
2. Chandan Sah Son of Late Hira Lal Sah
3. Marani Devi Wife of Late Hira Lal Sah
4. Poonam Devi Wife of Chandan Sah
5. Anita Devi wife of Madan Sah @ Mandan Sah Resident of Village Pakari Kothi, P.S. Suppi, District - Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Partys

Appearance :

For the Petitioners : Mr.Ranjeet Kumar Mishra, Advocate
For the Opposite Party : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-03-2020 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioners are apprehending arrest in connection with Suppi P.S. Case No. 210 of 2019 for offences under Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners have no criminal antecedent. Learned counsel submits that the allegation of assault by knife on the head of the informant is against petitioner nos. 1 and 2 and there is general



and omnibus allegation against petitioner nos. 3, 4 and 5.

Considering the fact that there is no allegation of specific overt act and there is general and omnibus allegation against petitioner nos. 3, 4 and 5, namely, Marani Devi, Poonam Devi and Anita Devi, who are ladies, this Court is inclined to grant bail to them. Let petitioner nos. 3, 4 and 5, namely, Marani Devi, Poonam Devi and Anita Devi, in the event of arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees fifty thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi in connection with Suppi P.S. Case No. 210 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

So far as petitioner nos. 1 and 2, namely, Madan Sah @ Mandan Sah and Chandan Sah is concerned, considering the fact that specific allegation of assault by knife on the head of the informant is against them, this Court is not inclined to grant bail to them. Their application for anticipatory bail is rejected.

However, in the event petitioner nos. 1 and 2, namely, Madan Sah @ Mandan Sah and Chandan Sah surrender before the court below and pray for regular bail, the court below shall consider and dispose of the application for regular bail on its



own merits on the same day without being prejudiced by the
order of rejection of this application.

(Anil Kumar Upadhyay, J)

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