

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8868 of 2020

Arising Out of PS. Case No.-235 Year-2019 Thana- BARGAINIA District- Sitamarhi

1. RAMBHA DEVI Wife of Lalan Das Resident of Village- Bahiri, P.S.- Bairstania, District- Sitamarhi.
2. Gita Devi Wife of Manoj Das Resident of Village- Bahiri, P.S.- Bairstania, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mrs. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-02-2020 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bairstania P.S. Case No. 235 of 2019 for the offence registered under Sections 147, 148, 149, 188, 333, 353, 335, 338, 323, 324, 307 and 504 of the Indian Penal Code and Section 3 of the Bihar Control of the U.S. & Play of Loudspeaker Act, 1955.

The allegation is that while a procession was being taken out through the village Baheri, on account of the Durga Puja celebration, the F.I.R. named accused persons including 250-300 unknown persons had indulged in brick batting, stone



pelting and assaulting the passers by as also the Police and were also playing D.J. on a high pitch.

The learned counsel for the petitioners has submitted that the petitioners are innocent, are ladies and have been falsely implicated in the present case especially since they have not been alleged to have indulged in brick batting or stone pelting. It is further submitted that the petitioners are having clean antecedent and no role has been attributed to them in the alleged occurrence. Lastly, it is submitted that similarly situated co-accused persons have already been granted bail by a coordinate Bench of this Court vide order dated 14.02.2020 passed in Criminal Misc. No. 84847 of 2019.

Having regard to the facts and circumstances of the case and considering the submissions of the learned counsel for the petitioners, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in



connection with Bairgania P.S. Case No. 235 of 2019 subject to
the conditions as stipulated under Section 438(2) of the Code of
Criminal Procedure.

(Mohit Kumar Shah, J)

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