

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11869 of 2020

Arising Out of PS. Case No.-433 Year-2019 Thana- VAISHALI District- Vaishali

1. SAHELIA DEVI Wife of Vijay Rai Resident of Village - Bhagwatpur, P.S. and District - Vaishali.
2. Prabha Devi Wife of Ram Naresh Rai Resident of Village - Bhagwatpur, P.S. and District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lalit Narayan Jha, Adv.
Mr. Barun Kumar Choudhary, Adv.
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 07-10-2020 Heard learned counsel for the petitioners and learned
APP for the State, through video conferencing.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Vaishali P.S. Case No. 433 of 2019, registered under sections 302, 307, 147, 148, 341, 323, 324, 504 and 34 of the Indian Penal Code.

As per allegation in the FIR, over a dispute between the parties, it is stated by the informant that the accused persons of whom Ram Naresh Rai was armed with sword, Nitesh Kumar with iron rod and others including the petitioners herein with lathi and danda assaulted her husband and thereafter also



assaulted her devar and mother-in-law. The husband of the informant died in course of treatment.

It is submitted by learned counsel for the petitioners that the petitioners are females and have been falsely implicated in this case. It is submitted that the injury report does not support the allegation against the petitioners and they have no criminal antecedent.

The application for bail is opposed by learned APP for the State, who submits that not only the petitioners are named in the FIR but were armed and overt act has been alleged against them.

Case diary called for in the case, has been received.

Having heard learned counsel for the parties and on going through the postmortem report available in the case diary, as also the materials that has transpired in course of investigation, the Court is inclined to enlarge the petitioners on 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 Vaishali P.S. Case no. 433 of 2019, they will be enlarged on bail on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of



learned Chief Judicial Magistrate, Vaishali at Hajipur subject to
the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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