

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13893 of 2020

Arising Out of PS. Case No.-157 Year-2019 Thana- MOHAMMADPUR District- Gopalganj

1. NISHA DEVI Wife of Vijay Yadav Resident of Village - Ghogharaha, P.S.-
Mohammadpur, District- Gopalganj
2. Rajanti Devi Wife of Baban Rai Resident of Village - Ghogharaha, P.S.-
Mohammadpur, District- Gopalganj
3. Girja Devi Wife of Late Lallan Rai Resident of Village - Ghogharaha, P.S.-
Mohammadpur, District- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh
For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-06-2020 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, 148, 149, 341, 323, 307, 332,
333, 225, 353, 427, 504 and 506 of the Indian Penal Code and
Sections 45 & 52 of Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short is that the informant having



received information, reached at village-Ghodhaha. Seeing the police party, one person having a galon of 35 litres with him, tried to flee away but on chase, he was apprehended. He disclosed his name as Vijay Yadav. Thereafter, against the arrest of Vijay Kumar, the villagers having armed with weapons, attacked police.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. The petitioners are ladies. The petitioners have been made accused in the present case due to mistake of fact. As per FIR, the villagers protested against the arrest of co-accused Vijay Kumar and for the said reason, the present case has been instituted. General and omnibus allegation has been made against the petitioners.

On behalf of the State, it is submitted that the petitioners are 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 Additional District & Sessions Judge-II, Gopalganj in connection with Mohammadpur P.S. Case No. 157 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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