

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22561 of 2020

Arising Out of PS. Case No.-214 Year-2019 Thana- KOPA District- Saran

1. Indu Devi Wife of Shiv Kumar Prasad Resident of Village-Kachnar Mathiya, Police Station-Kopa, District-Saran.
2. Munni Devi @ Moni Devi Wife of Ambika Prasad Resident of Village-Kachnar Mathiya, Police Station-Kopa, District-Saran.
3. Ambika Prasad Son of Late Mahendra Prasad Resident of Village-Kachnar Mathiya, Police Station-Kopa, District-Saran.
4. Shiv Kumar Prasad Son of Ambika Prasad Resident of Village-Kachnar Mathiya, Police Station-Kopa, District-Saran.
5. Kanchan Kumar Son of Shiv Kumar Prasad Resident of Village-Kachnar Mathiya, Police Station-Kopa, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Kishore Sharma

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-09-2020 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

Petitioners are apprehending arrest in connection
with Kopa P.S. Case No. 214 of 2019 for the offence under
section 302/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that
petitioners no. 1 and 2 are ladies whereas the petitioner no.3 is
76 years old. The petitioners have no criminal antecedent.

It is alleged that the petitioners have assaulted
Lallan Prasad with fat, mukka and lat and injured him. Lallan
Prasad was taken to hospital for treatment but he died on the



midway.

Considering the fact that there is no specific allegation of assault against petitioner nos. 1, 2 and 3, the Court is inclined to grant anticipatory bail to the petitioner nos. 1, 2 and 3, let the petitioner nos. 1, 2 and 3 in the event of arrest or surrender before the court below within a period of four weeks from the date of communication of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-5, Saran at Chapra, in connection with Kopa P.S. Case No. 214 of 2019 subject to the condition as laid down under section 438(2) of the Cr.P.C.

So far as petitioner nos. 4 and 5 are concerned, the Court is not inclined to grant anticipatory bail. However, the petitioner nos. 4 and 5 may surrender before the court below and pray for regular bail. The court below is required to dispose of the application for regular bail on the same day without being influenced by the refusal to grant anticipatory bail to the petitioner nos 4 and 5.

(Anil Kumar Upadhyay, J)

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