

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No. 21491 of 2020

1. Gunjan Devi, W/o Sri Laxmi Yadav
 2. Laxmi Yadav, S/o Ganga Yadav
 3. Mala @ Sone Lal Devi, W/o Upendra Yadav
 4. Upendra Yadav, S/o Late Adhik Lal Yadav
 All resident of village- Babhangama, P.S.-Bounsi, District-Banka.
 Petitioners

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioners : Mr. Ajay Mukherjee, Advocate
 Mr. Ganesh Sharma, Advocate
 For the Respondent State: Smt. Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 24-07-2020 Heard Mr. Ajay Mukherjee, learned counsel appearing on behalf of the petitioners and Smt. Renuka Ratnakar, learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of anticipatory bail arises out of Amarpur P.S. Case No. 586 of 2019, registered for the offence punishable under Sections 341, 323, 307, 354 and 504/34 of the Indian Penal Code.

The four petitioners appear to be belonging to the same family. It is alleged in the First Information Report that the petitioners entered into the house of the informant and were attempting to press the informant's neck. It is alleged that the informant and other family members woke up, whereafter the petitioners started assaulting him and his family members with



fists and slaps.

Learned counsel appearing on behalf of the petitioners has submitted that no offence under Section 307 of the Indian Penal Code is made out. It is further argued that there is a counter case lodged by the petitioner No.1 against the informant Ganga Yadav.

On perusal of the First Information Report, in my opinion, case for grant of anticipatory bail is made out.

This application is accordingly allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Banka, in Amarpur P.S. Case No. 586 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

It is indicated that defect, if any, shall be removed



within two months.

Since there is a lock down, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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