

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22792 of 2020

Arising Out of PS. Case No.-65 Year-2019 Thana- BELCHHI District- Patna

1. BEBI DEVI Wife of Dillu Paswan Resident of Village-Belchi, P.S.-Belchi, District-Patna.
2. Rajpati Kumari Daughter of Dillu Paswan Resident of Village-Belchi, P.S.-Belchi, District-Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr. Tapeswar Shjarma, APP
For the Informant	:	Mr. Abhishek Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 07-10-2020 . As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State as also the learned Counsel appearing for the informant..

Petitioner apprehends arrest in Belchi PS Case No. 65 of 2019 registered under Sections 147, 148, 149, 341, 323, 325, 307, 302, 379 and 504 of the IPC.

The informant has alleged that her father-in-law Ramashish Paswan was surrounded and beaten up by nine accused persons including these two petitioners.

Learned Counsel for the petitioners submits that specific allegation is against co-accused Dillu Paswan and Fagu Paswan. Fagu Paswan has given blow on head on being exhorted by Dillu. The petitioners are female members. The prosecution and accused side are agnates and there is pre-existing land dispute between the



parties. The only specific allegation against petitioner no. 2 is of taking out Five thousand rupees from the pocket of the victim Ramashish Paswan.

Learned Counsel for the informant has opposed the prayer. He has submitted that the version of the prosecution has been supported in the investigation. The petitioners were also members of the unlawful assembly and therefore they should not be granted anticipatory bail. Many injuries have been found on the victim.

Learned APP for the State has also opposed the prayer for anticipatory bail.

Having considered the rival submissions this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

Accordingly, let the petitioners above named, in the event of arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of SDJM, Barh, Patna in Belchi PS Case No. 65 of 2019 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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