

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.26880 of 2020**

Arising Out of PS. Case No.-377 Year-2019 Thana- BARACHATTI District- Gaya

1. SUNAINA DEVI W/o Rajesh Ravidas Resident of Village-Bodh Gaya Pachhatti, P.S.-Bodh Gaya, District-Gaya.
2. Gauri Devi @ Sona Devi W/o Kamaldeo Das Resident of Village-Mastipur, Purani Taridih, P.S.-Bodh Gaya, District-Gaya.
3. Girja Devi W/o Bulk Ravidas Resident of Village-Salahdih, P.S.-Fatehpur, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 24-11-2020 Learned counsel for the petitioners undertakes to remove the defects, if any, within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and Mr. Sanjay Kumar Singh, learned APP for the State.

The petitioners in the present case are the three family members of a family who are seeking pre-arrest bail in connection with Barachatti (Mohanpur) P.S. Case No.377 of 2019 registered for the offences punishable under Sections 341, 323, 448, 307, 379, 427, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that a dispute arose on 15th August, 2019 between Sarju Ravidas and Dilip Ravidas



over flag hoisting, though the same was settled but thereafter the accused persons got indulged in beating Dilip Ravidas with a stick as a result whereof he sustained injuries. Learned counsel submits that so far as these three petitioners are concerned, there are only general and omnibus kind of allegations against them and this fact may be noticed from the First Information Report itself. There are also ornamental allegations against all the accused that they had damaged the house of the informant and taken away the gold and silver ornaments.

Learned APP for the State has though opposed the prayer for anticipatory bail of the petitioners, but considering the facts and circumstances of the case wherein there are altogether 16 accused named in the First Information Report and against these three petitioners there are general and omnibus kind of allegations, there is a case and counter case and these petitioners have otherwise no criminal antecedent, let the petitioners in the event of their arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Barachatti (Mohanpur) P.S. Case No.377 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;



(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioners.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

