

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23850 of 2020

Arising Out of PS. Case No.-142 Year-2019 Thana- BELA District- Sitamarhi

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1. CHANDAN THAKUR S/o Ramji Thakur Resident of Village- Baya, P.S.-Bela, District- Sitamarhi.
 2. Poonam Devi W/o Ram Lal Thakur Resident of Village-Baya, P.S.-Bela, District-Sitamarhi.
 3. Ram Kumari Devi W/o Chandan Thakur @ Chandan Kumar Resident of Village- Baya, P.S.-Bela, District- Sitamarhi.
 4. Shanti Devi W/o Ramji Thakur Resident of Village- Baya, P.S.-Bela, District-Sitamarhi.
 5. Poonam Devi W/o Shyam Thakur Resident of Village- Baya, P.S.-Bela, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 16-10-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioners and learned APP for the State.



Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

Petitioners apprehend their arrest in connection with Bela P.S. Case No. 142 of 2019 instituted for the offence under Section(s) 341, 323, 324, 307, 354, 379 and 504/34 of the Indian Penal Code.

The prosecution case alleges indiscriminate assault by the accused persons causing injury upon the informant.

The learned counsel for the petitioner submits that specific assault by knife and *Dabiya* has been attributed against co-accused, namely Shyam Thakur and Ram Lal Thakur respectively. There is no specific allegation of assault against the petitioners. Four out of the five petitioners are females and have been implicated on extraneous consideration though none have any criminal antecedents.

The learned APP for the State opposed the prayer for bail. allowed.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, before the



court below, within four (04) weeks from today, they shall be released on anticipatory 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 SDJM, Sadar, Sitamarhi, in connection with Bela P.S. Case no. 142 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

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

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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