

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29727 of 2020

Arising Out of PS. Case No.-213 Year-2020 Thana- BHAGWAN BAZAR District- Saran

1. SHIV SHANKAR PRASAD Son of Hitan Ram @ Hitan Prasad Resident of Mohalla- Katra, Police Station- Bhagwan Bazar, District- Saran at Chapra.
2. Ganga Devi Wife of Shiv Shankar Prasad Resident of Mohalla- Katra, Police Station- Bhagwan Bazar, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Srivastva

For the Opposite Party/s : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-12-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks from the date of restoration of normalcy.

Learned counsel for the petitioners seeks permission of the Court to withdraw this application in respect of petitioner no. 1 as he has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in



respect of petitioner no. 1.

Heard learned counsel for the petitioner no. 2 and learned APP for the State.

The petitioner no. 2 is apprehending her arrest in a case registered under Sections 341, 323, 447, 308, 379, 354, 504/34 of the Indian Penal Code

The prosecution allegation, in short, is that the accused persons assaulted the informant and the family members while she was at her house.

It has been submitted on behalf of the petitioner no. 2 that the petitioner no. 2 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner no. 2. The petitioner no. 2 has falsely been implicated in the present case. She is a lady. General and omnibus allegation has been made against the petitioner no. 2. Specific allegation is made against co-accused Srikanth Kumar. The petitioner no. 2 happens to be sister-in-law of the informant.

On behalf of the State, it is submitted that the petitioner no. 2 named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner no. 2, above named, in the event of arrest/surrender before the learned court below within a period



of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No. 213 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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