

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71503 of 2018

Arising Out of PS. Case No.-306 Year-2018 Thana- RUNISAIDPUR District- Sitamarhi

1. Sita Devi, Wife of Lal Babu Rai
2. Anita Devi, Wife of Mukesh Rai
Both Resident of Village- Olipur Tarai, Police Station- Runnisaidpur,
District- Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

7 15-06-2020 Heard learned counsel for the petitioners and
learned counsel for the State via video conferencing.

The petitioners seek pre-arrest bail in connection with Runnisaidpur P.S. Case No.306 of 2018 registered for the offences punishable under Sections 147, 323, 504, 324, 307 and 302 read with 34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that the implication of the petitioners in the instant case is malicious in nature. Petitioner no.1 is an old lady and petitioner no.2 is her daughter-in-law. They have been named in the instant case only because the male members of the family are alleged to have assaulted the husband of the informant as a result of which he died. He further contended that the specific



allegation of assault upon the husband of the informant in the first information report is against co-accused Mithilesh Kumar, Mukesh Kumar and Lal Babu Rai. The postmortem report would also reveal that the deceased had sustained only three antemortem injuries. He contended that the petitioners are having root in the society and they are not likely to abscond or tamper with the evidence in case they are granted bail.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioners.

Considering the facts and circumstances of the case and the submissions made above, in the event of arrest or surrender in the court below, the petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Runnisaipur P.S. Case No.306 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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