

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86929 of 2019

Arising Out of PS. Case No.-182 Year-2019 Thana- CHAND District- Kaimur (Bhabhua)

1. BECHU BIND S/o Late Samaru Bind Resident of Village- Darunpur, P.S.- Chand, Dist- Kaimur (Bhabhua)
2. Jitendra Bind S/o Bechu Bind Resident of Village- Darunpur, P.S.- Chand, Dist- Kaimur (Bhabhua)
3. Prabhawati Devi W/o Bechu Bind Resident of Village- Darunpur, P.S.- Chand, Dist- Kaimur (Bhabhua)
4. Sangita Devi W/o Surendra Bind Resident of Village- Darunpur, P.S.- Chand, Dist- Kaimur (Bhabhua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Achhaibar Singh

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-01-2020 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Chand P.S. Case No. 182 of 2019 for the offence registered under Sections 341, 342, 323, 307, 379, 504 and 34 of the Indian Penal Code.

The allegation is regarding the accused persons having assaulted the informant resulting in grievous injury on her head. It is alleged that the co-accused Upendra Bind had assaulted the informant by a *khanti*.

The learned counsel for the petitioners has submitted that since the main allegation is against the co-accused person, namely, Upendra Bind of having caused injury on the head of the



informant, the rest of the accused persons i.e. the petitioners herein are entitled to the privilege of anticipatory bail especially since they are having clean antecedents. It is further submitted that the petitioners have been falsely implicated in the present case.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioners coupled with the fact that the main assailant is the co-accused person, namely, Upendra Bind, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhabhua in connection with Chand P.S. Case No. 182 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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