

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.214 of 2020

Arising Out of PS. Case No.-212 Year-2019 Thana- SHAMBHUGANJ District- Banka

1. Meena Devi, aged about 43 years (female), W/o Navin Singh @ Naveen Kr. Singh, Resident of Village- Kaukari, P.S.- Shambhuganj, District- Banka.
2. Shila Devi, aged about 50 years (female), W/o Heera Lal Singh, Resident of Village- Kaukari, P.S.- Shambhuganj, District- Banka.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajay Mukherjee
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 10-02-2021 Heard Mr. Ajay Mukherjee, the learned counsel for the appellants and Mr. Binay Krishna, the learned Special P.P.

The appellants have filed this appeal for grant of anticipatory bail in Shambhuganj P.S. Case No.212 of 2019, registered under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code and under Sections 3 (1) (r) of the SC/ST Act.

The informant alleged that Ajit Kumar Singh and Nitish Kumar Singh took him across the embankment of the river and assaulted him with fists, slaps and stick. The informant became unconscious and he was thrown into a ditch after dragging to some distance. When the informant got



consciousness, he came to his house and disclosed the entire facts to his father. When the father of the informant went to the house of Ajit Kumar Singh and Nitish Kumar Singh, the parents of both the accused abused the father of the informant by naming his caste.

Learned counsel for the appellants submits that the appellants are mothers of both the accused. No allegation is made against the appellants. The informant made vague allegation that father and mother of both the accused abused the father of the informant.

Mr. Binay Krishna, the learned Special P.P., however, opposed the prayer for anticipatory bail.

Having considered the submissions and on perusal of the FIR, I find that no specific allegation is made against the appellants, who are the mothers of the accused, Ajit Kumar Singh and Nitish Kumar Singh and, therefore, the appellants deserve anticipatory bail.

Accordingly, the appellants, above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be enlarged on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of the learned Additional Sessions Judge-1-cum-Special Judge (SC/ST), Banka in connection with Shambhuganj P.S. Case No.212 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

The appeal is allowed accordingly.

(Prabhat Kumar Jha, J)

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