

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22677 of 2021

Arising Out of PS. Case No.-14 Year-2020 Thana- NOWKOTHI GARHPURA District-
Begusarai

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1. ARUNA DEVI W/o Bam-Bam Mahto Resident of Village- Samsa, P.S.-
Naokothi, District- Begusarai.
 2. Rinku Devi W/o Late Navin Mahto Resident of Village- Samsa, P.S.-
Naokothi, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nakul Kumar Jamuar

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 22-09-2021 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant through
virtual mode.

The present matter has been taken up out of turn on
the mentioning slip filed on behalf of the petitioners stating
therein that the petitioner no. 1 is a lady and is suffering from
critical disease and her treatment is going on and she cannot
move without help. Let the mentioning slip filed on behalf of
the petitioners be kept on record.

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



The petitioners are apprehending their arrest in Naokothi P.S. Case No. 14/2020 registered under Sections 147, 148, 149, 302, 120(B) of the Indian Penal Code and 27 of the Arms Act.

The prosecution allegation, in short, is that the accused persons, variously armed, caught hold of the *mami* of the informant and fired at her due to which she died.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Due to previous enmity, the present case has been instituted against the petitioners. The petitioners are ladies. So far as petitioner no. 2 is concerned, she is alleged to be order giver. The allegation of firing upon the deceased by petitioner no. 1 is denied by the petitioners.

On behalf of the State and the Counsel for the informant, it is submitted that the petitioners are named in the F.I.R. There are specific allegations made against the petitioners. Petitioner No. 1 is alleged to have fired in the mouth of deceased. Petitioner No. 2 is the order giver. At her instance, the alleged occurrence is said to have taken place. As many as 10



fire arms injuries are found on the body of the deceased. Two empty cartridges were also found at the place of occurrence. Specific allegations are also against co-accused Ranveer and Jagdish who are said to have fired upon the deceased. Sukho Tanti and Pankaj Mahto are said to have fired upon the abdomen of the deceased. Ranjeet Mahto and Bambam Mahto are said to have fired upon the head of the deceased. The post mortem report also corroborates with the allegation made in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners. Prayer is rejected. If the petitioners surrender in the Court below and pray for bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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