

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35171 of 2020

Arising Out of PS. Case No.-53 Year-2020 Thana- KANHAULI District- Sitamarhi

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1. Umar Devi @ Kumar Devi, aged about 40 years, female, W/o Sunil Mahto
 2. Raju Mahto @ Raju Kumar, aged about 21 years, male, S/o Sunil Mahto
 3. Raja Mahto @ Raja Kumar, aged about 19 years, male, S/o Sunil Mahto
- All are R/o Village - Kanhauli, P.S. - Kanhauli, Distt. - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 23-03-2021 Mr. Alok Kumar Alok, learned Advocate for the

petitioners seeks permission to withdraw this application with

respect to petitioner No. 2, viz., Raju Mahto @ Raju Kumar,

who has been arrested.

Prayer is allowed.

The application with respect to petitioner No. 2

stands dismissed as withdrawn as having become



infructuous.

Heard the counsel for the parties.

The petitioner Nos. 1 and 3 seek bail in anticipation of their arrest in connection with Kanhauli P.S. Case No. 53 of 2020, dated 02.06.2020, instituted for the offences under Sections 341, 323, 325, 379, 504 and 34 of the Indian Penal Code.

The petitioner Nos. 1 and 3 are said to have assaulted the informant and his daughter leading to injuries on their persons.

Regard being had to the specific accusation against petitioner No. 3/Raja Mahto @ Raja Kumar, this Court is not inclined to grant him anticipatory bail.

The prayer for grant of anticipatory bail of petitioner No. 3 is, accordingly, rejected.

However, if petitioner No. 3 surrenders before the Court below and seeks bail, the Court below shall consider the case on its own merits, without being prejudiced by the fact that the present anticipatory bail application with respect to him has not been entertained by this Court.



So far as petitioner No. 1/Umar Devi @ Kumar Devi is concerned, there is no specific accusation against her.

Regard being had to the facts afore-stated and the gender of petitioner No. 1, she, in the event of her arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on her furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Kanhauli P.S. Case No. 53 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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