

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3722 of 2021

Arising Out of PS. Case No.-79 Year-2020 Thana- BAKHTIYARPUR District- Patna

1. Babli Kumari, aged about 22 years (Female), D/O Awdhesh Singh, Resident Of Village-Sirshi, P.S.-Sirshi, District-Patna.
2. Chhoti Kumari, aged about 24 years (Female), D/O Awdhesh Singh, Resident Of Village-Sirshi, P.S.-Sirshi, District-Patna.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Manoj Kumar Pandey, Advocate.
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 09-08-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Further, learned counsel for the petitioners is permitted to make necessary correction in the prayer portion of the present bail application.

Heard learned counsel for the petitioners and learned A.P.P. for the State through Virtual mode.

The petitioners are apprehending their arrest in connection with Bakhtiyarpur P.S. Case No. 79 of 2020 for the offence registered under Sections 147, 148, 149, 302 of the I.P.C. and Section 27 of the Arms Act.

The prosecution story, in brief, is that on 10.03.2020 at about 8.25 P.M., Gulab Singh called the son of the informant, namely, Dharamveer Singh, from his house and taken away into



a street and there was Happy Singh, Babli Kumari, Chhoti Kumari, Suchitra Devi and Munnu Singh were present and they started abusing him with respect to threatening them by his son for trapping in the case. In the meantime, the informant went there then Suchitra Devi said to kill and throw him and on her instigation, Happy Singh fired in the chest of his son Dharamveer Singh from his pistol. When the informant brought his son on the Motorcycle with the help of villagers for treatment and as soon as, he reached on the *Pucca* road near 'Radhey Shyam Temple', then Munnu Singh and Awadhesh Singh stopped them by showing pistol and said that his son has not died up till now. In the meantime, Munnu Singh shot fire from his pistol upon the son of the informant, which caused injury in the left hand of Dharamveer Singh and due to grievous firearm injury, Dharamveer Singh died there. Thereafter, accused persons fled away after seeing the villagers.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. They have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The allegation of assault upon the son of the informant is alleged against Happy Singh and Munnu Singh. No



specific overt act is alleged against the petitioners. The petitioners are ladies.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of the learned A.C.J.M.-III, Barh, Patna, in connection with Bakhtiyarpur P.S. Case No. 79 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only each with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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