

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6114 of 2021

Arising Out of PS. Case No.-145 Year-2020 Thana- DARAUNDA District- Siwan

1. HEWANTI DEVI, Wife of Nakchhedi Sah, Resident of Village- Bhadsara, P.S.- Daraunda, District- Siwan.
2. Rinku Devi, Daughter of Nakchhedi Sah, Resident of Village- Bhadsara, P.S.- Daraunda, District- Siwan.
3. Ranju Kumari, Daughter of Nakchhedi Sah, Resident of Village- Bhadsara, P.S.- Daraunda, District- Siwan.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kumari Anupam, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-12-2021 Learned counsel for the petitioners undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and Mr. Md. Fahimuddin, learned A.P.P. for the State.

Petitioners in the present case are seeking pre-arrest bail in connection with Daraunda P.S. Case No. 145 of of 2019 registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code. The petitioners have got no criminal antecedent.

Learned counsel for the petitioners submits that as per



the prosecution story, when the informant objected the indecent act of her villagers Ravi Kumar and Rohit Kumar, they went to home abusing her and after some times came with their family members lashed with lathi-danda, knife and sharp weapons and indulged in assault to the informant's sons. It is further alleged that in course of scuffle petitioner no. 1 snatched her silver chain.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is further submitted that general and omnibus allegation has been levelled against the petitioners. No specific overt act of causing assault has been attributed against any of the petitioners. The allegation of snatching silver chain against petitioner no. 1 is ornamental in nature.

Mr. Md. Fahimuddin, learned A.P.P. for the State has opposed the prayer for pre-arrest bail of the petitioner.

Having regard to the materials placed before this Court considering that these petitioners are the lady members of the family and no overt act has been alleged against them, this Court directs the petitioners above-named in the event of their arrest or surrender within four weeks from today be released on bail on furnishing of bail bonds of Rs. 25,000/- (Twenty Five



Thousand only) each with two sureties of the like amount each to the satisfaction of Sri R. S. Pandey, J. M. Ist Class, Siwan in connection with Daraunda P.S. Case No. 145 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

