

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8642 of 2021

Arising Out of PS. Case No.-295 Year-2019 Thana- DESARI District- Vaishali

1. Mahesh Ram Son of Sakal Ram Resident of Village - Paharpur Toi, P.S.- Desari, Sahdei (O.P.), District - Vaishali.
2. Anita Devi Wife of Mahesh Ram Resident of Village - Paharpur Toi, P.S.- Desari, Sahdei (O.P.), District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-08-2021 Heard learned counsel for the petitioners and the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in connection with Desari (Sahdei O.P.) P.S. Case No. 295 of 2019 registered for the offence under Section 302/120B of the Indian Penal Code.

Prosecution case in short is that one unknown lady was suspected to be child thief and she was assaulted as a result of 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 been falsely implicated in the present case. The informant is not an eye witness to the alleged occurrence. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, 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 learned Additional Chief Judicial Magistrate-IV, Vaishali at Hajipur in connection with Desari (Sahdei O.P.) P.S. Case No. 295 of 2019 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) 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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