

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9907 of 2022

Arising Out of PS. Case No.-127 Year-2021 Thana- RAJEPUR District- East Champaran

1. SITA DEVI SON OF SUBLAL KUMAR @ SUBHASH PRASAD R/O VILLAGE- KASHI PAKRI, P.S.- RAJEPUR, DISTRICT- EAST CHAMPARAN
2. BHOLA KUMAR SON OF HANSLAL BHAGAT R/O VILLAGE- KASHI PAKRI, P.S.- RAJEPUR, DISTRICT- EAST CHAMPARAN
3. LALU BHAGAT SON OF LATE ANUPLAL BHAGAT R/O VILLAGE- KASHI PAKRI, P.S.- RAJEPUR, DISTRICT- EAST CHAMPARAN
4. RAJU KUMAR SON OF MAHANLAL PRASAD R/O VILLAGE- KASHI PAKRI, P.S.- RAJEPUR, DISTRICT- EAST CHAMPARAN
5. MUKESHWAR NATH @ MUKESHWAR NATH KUMAR SON OF HANSLAL BHAGAT R/O VILLAGE- KASHI PAKRI, P.S.- RAJEPUR, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 09-09-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as the learned APP for the State.

The petitioners apprehend their arrest in connection with Rajepur P.S. Case No. 127 of 2021 registered for offence punishable under sections 302, 120(B)/34 of the Indian Penal



Code.

As per allegation, the accused persons named in the FIR including the petitioners surrounded the informant and his father and they forcibly took away his father to village Kashi Pakri. The informant became successful in fleeing away. The accused persons badly assaulted the informant's father, who died during course of treatment.

The learned counsel for the petitioners has submitted that the petitioners are innocent. The deceased had committed *dacoity* in several houses. He has submitted that petitioner Sita Devi is lady and she was not supposed to assault the deceased with lathi along with male members.

Petitioner no. 1, Sita Devi is a lady, as such, her prayer for anticipatory bail is allowed. Let **petitioner no. 1** in her arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Motihari in connection with Rajepur P.S. Case No. 127 of 2021, subject to condition as laid down under section 438 (2) of the Code of Criminal Procedure.

So far as **petitioner nos. 2 to 5** are concerned, there is



allegation that they badly assaulted the father of the informant and due to injuries, he died during course of treatment at Muzaffarpur, as such, I do not think it to be a fit case for anticipatory bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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