

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22274 of 2021

Arising Out of PS. Case No.-46 Year-2020 Thana- KHIRHAR District- Madhubani

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1. BUDHNI DEVI, Wife of Kusheshwar Mandal Resident of Village- Balarahi, P.S.- Khirhar, District- Madhubani.
 2. Buchi Devi, Wife Rampunit Mandal Resident of Village- Balarahi, P.S.- Khirhar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 13-01-2022 Heard Mr. Ratnakar Jha, learned counsel for the

petitioners and learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Khirhar P. S. Case No. 46 of 2020, dated 26.05.2020, corresponding to G.R. No. 419 of 2020, instituted for the offences under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code.

The accusation against the petitioners is of assaulting the son of the informant by fists and slaps. The informant was assaulted and injured by others.



The bail application of two of the accused persons, namely, Karan Mandal and Dipak Mandal have been rejected by this Court.

However, one of the accused persons with similar allegation as that of the petitioners has been granted anticipatory bail.

The learned Counsel for the petitioners has submitted that in an effort to rope in all the family members of the accused persons, the petitioners also have been attributed with the role of assaulting the son of the informant with fists and slaps. There is no corresponding injury with respect to the act of assault attributed to the petitioners.

Regard being had to the gender of the petitioners and the general and omnibus nature of assault against them, they, in the event of their arrest or surrender before the court below within a period of six weeks, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate III, Behipatti, in connection with Khirhar P. S. Case No. 46 of 2020, dated 26.05.2020, corresponding to G.R. No. 419 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

This petition stands allowed.

(Ashutosh Kumar, J)

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