

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26532 of 2022

Arising Out of PS. Case No.-320 Year-2021 Thana- KANTI District- Muzaffarpur

1. GEETA DEVI @ GITA DEVI W/o Late Funa Ram R/o village- Birpur, P.S.- Kanti, District- Muzaffarpur
2. Mamta Kumari @ Neha Kumari D/o Late Funa Ram R/o village- Birpur, P.S.- Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Nandan, Adv.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-11-2022 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offence under Sections 147, 341, 323 and 307 of the Indian Penal Code.

The petitioners along with others are said to have assaulted the informant by means of iron rod and other weapons.

Learned counsel appearing for the petitioners submits that the petitioners, who are of clean antecedent, are innocent and have falsely been implicated in this case. He further submits that it appears from the F.I.R. that the



prosecution story is false and fabricated and there is general and omnibus allegation against the petitioners and no specific allegation of assault is attributed to them. He further submits that both the petitioners are lady and the petitioner No.1 is handicapped. Hence, the petitioners may be granted the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the, above named, petitioners in the event of arrest or surrender before the court below within four weeks be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Kanti P.S. Case No. 320 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled



by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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.

(Rajesh Kumar Verma, J)

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