

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2717 of 2023

Arising Out of PS. Case No.-788 Year-2022 Thana- NAGAR District- Vaishali

1. RINKU DEVI W/O SANJAY CHOUDHARY @ SANJAY CHAURASIA
2. SONI KUMARI D/O SANJAY CHOUDHARY @ SANJAY CHAURASIA
3. PINKI KUMARI D/O BISHAMBHAR CHOUDHARY
All Resident of village- Jadhua Barai Tola, P.S.- Industrial Area, District-
Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Hajipur Town P.S. Case No. 788 of 2022 instituted under Sections 147, 149, 341, 323, 353, 356, 379, 506 of Indian Penal Code lodged on 15.10.2022 by the informant, Manish Kumar Sinha.

As per the prosecution story, on 14.10.2022, the informant with other Police personnel was present in the court premises for production of the apprehended accused Sanjay Choudhary @ Sanjay Chaurasia in Industrial Area P.S. Case No. 50/2022, where the family members of the said accused along with unknown persons attacked on the informant and Police



personnel and tried unsuccessfully to make the accused escape from the custody of the Police. Accordingly, the FIR.

Learned counsel for the petitioners submit that there was nothing specific against the petitioners herein and from the FIR itself, it would show that each and every member of the family has been implicated as accused.

Learned APP has opposed the prayer stating that the accused persons have tried to facilitate the escape of the accused belonging to their family.

Taking into account the fact that the petitioners are ladies, they do not have criminal antecedent and ultimately will have to face the trial, this Court is inclined to grant them privilege of bail.

Let the petitioners be released on bail, in the event of their arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Hajipur Town P.S. Case No. 788 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:



(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners will make himself available to the police as and when required in course of investigation;

(iii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan/
Sunil

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