

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5423 of 2023

Arising Out of PS. Case No.-195 Year-2021 Thana- MADHUBAN District- East Champaran

1. SANJAY SINGH Son of Late Ramayodhya Singh R/V- Pundar, P.S- Madhuban, Dist- East Champaran
2. Mani Bhushan Singh @ Manibhushan Kr. Singh Son of Late Ramayodhya Singh R/V- Pundar, P.S- Madhuban, Dist- East Champaran
3. Binda Devi @ Bindu Devi Wife of Sanjay Singh R/V- Pundar, P.S- Madhuban, Dist- East Champaran
4. Chandan Devi @ Chandan Sinha Wife of Mani Bhushan Singh R/V- Pundar, P.S- Madhuban, Dist- East Champaran
5. Vinita Devi Wife of Arvind Singh R/V- Pundar, P.S- Madhuban, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar,Adv.

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-05-2023 After some arguments the learned counsel for the petitioners seeks not to press the present petition qua the petitioners no. 1 and 2, but seeks liberty on behalf of them to enable them to surrender before the learned court below and apply for regular bail. Liberty so sought is granted.

It is needless to state that if petitioners no.1 and 2 surrender before the learned court below, within a period of four weeks from today, and file appropriate application for grant of regular bail, the same shall be decided on the very same



day.

Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Trial No. 1204 of 2022 arising out of Madhuban P.S. Case No.195 of 2021, registered for the offences punishable under Sections 341, 323, 324, 354(B), 379, 448/ 34 of the Indian Penal Code.

The allegation is regarding the accused persons having arrived at the house of the informant, whereafter they had engaged in assaulting the family members of the informant and as far as the petitioner no.1 is concerned, he is stated to have torn the clothes of the daughter-in-law of the informant, whereas the petitioner no.2 is stated to have snatched gold *mangalsutra* from the daughter-in-law of the informant.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The



learned counsel for the petitioners has further submitted that as far as petitioners no.3 to 5 are concerned, a general and omnibus allegation has been levelled and they have not been alleged to have engaged in any sort of specific overt act, hence they be granted the privilege of anticipatory bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled qua the petitioners no.3 to 5, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail.

Accordingly, the petitioners no. 3 to 5, above named, are directed to be released on anticipatory bail in the event of their



arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Trial No.1204 of 2022 arising out of Madhuban P.S. Case No. 195 of 2021 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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