

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14815 of 2023

Arising Out of PS. Case No.-211 Year-2022 Thana- CHANDAN District- Banka

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1. SHOBHA DEVI WIFE OF LATE BHOLA DAS R/O VILLAGE- PAILWA, P.S.- CHANDAN, DISTRICT- BANKA
 2. BAIJALI DEVI WIFE OF MUSAFIR DAS R/O VILLAGE- PAILWA, P.S.- CHANDAN, DISTRICT- BANKA
 3. KAILI DEVI WIFE OF DINESH SAH R/O VILLAGE- PAILWA, P.S.- CHANDAN, DISTRICT- BANKA
 4. SUMA DEVI WIFE OF BHAIROLAL DAS R/O VILLAGE- PAILWA, P.S.- CHANDAN, DISTRICT- BANKA
 5. GUDIYA DEVI WIFE OF MOHANLAL DAS R/O VILLAGE- PAILWA, P.S.- CHANDAN, DISTRICT- BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate
For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-05-2023 Heard the learned counsel for the petitioners and

the learned A.P.P. for the State.

This is an application for grant of anticipatory bail

in connection with Chandan PS case no. 211 of 2022, registered

for the offences punishable under Section 307 and other allied

sections of the Indian Penal Code.

The case of the prosecution in brief is that on the

alleged date and time of occurrence while the informant and his

family members were repairing their house, the petitioners and



others had arrived there, whereafter, they had assaulted the informant and his family members.

The learned counsel for the petitioners submits that petitioners are innocent, they have been falsely implicated in the present case and are having a clean antecedent. The learned counsel for the petitioners has further submitted that a general and omnibus allegation has been levelled against the petitioners, however, there is no specific allegation of any sort of overt act *qua* the informant and his family members. Lastly, it is submitted that similarly situated co-accused persons have already been granted anticipatory bail by a co-ordinate Bench of this Court vide orders dated 28.04.2023 and 12.05.2023, passed in Cr. Misc. no. 13082 of 2023 and Cr. Misc. no. 13681 of 2023, respectively.

Per contra, the learned APP for the State has vehemently opposed the prayer for 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 parity of the case of the petitioners with that of the co-accused persons who have already been granted anticipatory bail by a co-ordinate Bench of this



Court, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in connection with Chandan PS case no. 211 of 2022, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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