

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17219 of 2023

Arising Out of PS. Case No.-65 Year-2020 Thana- DAGARUA District- Purnia

1. SUNDARI DEVI W/O- BISHAMBHAR RISHI Village- Korhaili Ps- Dagarua Dist- Purnea
2. Renu Devi W/O- Dablu Paswan @ Dablu Rishi Village- Korhaili Ps- Dagarua Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Fazle Karim, Advocate
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-05-2023 Heard the parties.

The petitioner is apprehending his arrest in connection with Dagarua P.S. Case No 65 of 2020 for the offence under Sections 341, 323, 324, 427, 30717219, 379, 506 and 34 of the I.P.C. lodged on 12.05.2020 by the informant Indal.

The prosecution story, in brief, is that the informant, Indal Rishi alleged that on 4.5.2020, he came out from his house and came to know that his elder brother and his family members were fishing in the pond. The said pond being joint, there is equal share of all the brothers. Thereafter, Informant and his



wife reached there and his wife protested whereafter the accused persons including these petitioners in furtherance of their common intention started assaulting them by 'lathi'. Co-accused Mister Kumar gave Iron rod blow on the right knee and head of the Informant. In the meantime, petitioner No.4 Dablu Paswan took away Rs.1200/- from the pocket of the Informant.

Informant fell down on the ground and as his wife tried to save him, his elder brother Bishambar Rishi (petitioner No.1) assaulted her too. In course of assault, petitioner No.1 snatched silver chain of 5 bhar from the possession of wife of the Informant and said accused/petitioner No.1 also outrage her modesty. On raising alarm, accused persons fled away. Family members of the Informant brought him to Sadar Hospital where his treatment was done. Accordingly, the F.I.R.

From the F.I.R., it is clear that the iron rod blow allegation has been attributed to one Mister Kumar as also snatching of Rs. 1200/- has been made against Mr. Dablu Paswan.

Learned APP opposes the prayer.

Considering the fact that both the petitioners are lady, do not have criminal antecedent, this Court is inclined to extend them the privilege of anticipatory bail with conditions.



Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned C.J.M, Purnea, in connection with Dagarua P.S. Case No 65 of 2020 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. subject to the following conditions:

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

(ii) 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;

(iii) the petitioner 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;

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



With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Ravi/kiran/-

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