

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 22369 of 2023**

Arising Out of PS. Case No.-475 Year-2022 Thana- TURKAULIYA District- East
Champaran

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1. ASHA DEVI W/O PRABHU MAHTO RESIDENT OF VILLAGE-
CHAILAHA MAUJE, P.S- TURKAULIYA (BANJARIYA), DISTT- EAST
CHAMPARAN.
 2. ANITA DEVI W/O PRABHU MAHTO RESIDENT OF VILLAGE-
CHAILAHA MAUJE, P.S- TURKAULIYA (BANJARIYA), DISTT- EAST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Anshu Dhar Sharma, Advocate
For the Opposite Party/s : Mr Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor (for brevity, **APP**) appearing for
the State of Bihar.

The petitioners are apprehending their arrest in
connection with Turkauliya (Banjariya) Police Station (for
brevity, **PS**) Case No 475 of 2022 dated 25.05.2022 registered
for the offences punishable under Sections 341, 323, 324,
307/34 of Indian Penal Code.

As per the prosecution case, all the FIR named
accused persons holding knives entered the cattle-shed room
(**Gauwash**) of the informant and the co-accused Prabhu Mahto



slitted the informant's throat with the knife while the informant was sleeping on account of land dispute.

Learned counsel for the petitioners has submitted that the petitioner No 2 is not named in the FIR. During course of investigation, the name of petitioner No 2 has surfaced as Anita Devi. There is land dispute between the parties and the petitioners have got no criminal antecedent. There is general and omnibus allegation against the petitioners of keeping knives in their hands. The petitioners are ladies who are only the members of the mob. There is no overt act alleged against them. The specific allegation of inflicting blows of knife is against the co-accused Prabhu Mahto.

Learned APP appearing for the State of Bihar has vehemently opposed the prayer for anticipatory bail of the petitioners.

Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners who are ladies, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on each of them furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Chief



Judicial Magistrate, Motihari, East Champaran in Turkauliya
(Banjariya) PS Case No 475 of 2022, subject to all conditions as
laid down under Section 438 (2) of Criminal Procedure Code.

(Chandra Prakash Singh, J)

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