

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16850 of 2023

Arising Out of PS. Case No.-258 Year-2022 Thana- BHAGWANPUR District- Begusarai

1. Madhumala Devi @ Madhuri Devi W/O Rambali Yadav R/O Village- Chakayam, P.S- Bhagwanpur, Distt.- Begusarai.
2. Lalita Devi W/O Bajarangwali Yadav R/O Village- Chakayam, P.S- Bhagwanpur, Distt.- Begusarai.
3. Sabita Devi @ Sarita Devi W/O Rampreet Yadav R/O Village- Chakayam, P.S- Bhagwanpur, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-05-2023 Heard learned counsel for the petitioners and the
learned APP for the State.

The petitioners are apprehending their arrest in connection with Bhagwanpur (Tiyay) P.S. Case No. 258 of 2022 dated 10.12.2022 registered for the offence punishable under Sections 147, 148, 341, 323, 353, 307, 504 and 506 of the Indian Penal Code.

The prosecution case arising out of statement of the police personnel is that while they had gone to conduct search and seizure at a place, the inhabitants of the house have resisted the search and seizure, and in the process, assaulted the police



party leading to several of the police personnel sustaining injuries.

The learned counsel for the petitioners submits that allegations are general and omnibus. The petitioners are female inhabitants of the house wherein, the police had committed search and seizure. There is no injury report to support the allegation regarding police personnel sustaining injuries, which fact is evident from the order of learned Sessions Judge-Begusarai, whereby the petitioners prayer for anticipatory bail was rejected. The petitioners are having no antecedents and are apprehending their arrest in the above noted circumstances.

The learned APP for the State has opposed the prayer for bail. He further submits that all accused persons including the petitioners have obstructed the police in discharge of their duties.

Considering the rival submissions, clean antecedent, the fact of the petitioners being females and the allegation of assault on police personnel not being supported by any injury report, this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail is allowed.



Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Begusarai in connection with Bhagwanpur (Tiyay) P.S. Case No. 258 of 2022 subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also the following conditions:

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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