

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33613 of 2023

Arising Out of PS. Case No.-184 Year-2022 Thana- BEERPUR District- Begusarai

1. PANKAJ SAH son of Anil Sah Resident of Village- Dihpar, P.S.- Birpur, District- Begusarai
2. Renu Devi wife of Pankaj Sah Resident of Village- Dihpar, P.S.- Birpur, District- Begusarai
3. Kajal Kumari Wife of Late Chandan Sah Resident of Village- Dihpar, P.S.- Birpur, District- Begusarai
4. Saraswati Devi Wife of Santosh Sah Resident of Village- Dihpar, P.S.- Birpur, District- Begusarai
5. Girja Devi Wife of Anil Sah Resident of Village- Dihpar, P.S.- Birpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-07-2023 At the outset, learned counsel for the petitioners submits that the petitioner no.1, namely, Pankaj Sah has been arrested, hence, this application survives only in respect of petitioner nos.2 to 5.

2. Heard learned counsel for the petitioner nos. 2 to 5 and learned APP for the State.

3. The petitioner nos. 2 to 5, in the present case, are seeking pre-arrest bail in connection with Birpur P.S. Case No.184 of 2022 registered for the offences punishable under Sections 147, 341, 323, 307, 379, 354, 504 and 506 of the



Indian Penal Code. The petitioner nos.2 to 5 have got no criminal antecedent.

4. As per the prosecution story, the allegation against the petitioners is that they abused the informant and brutally assaulted her with legs-fists, butt of pistol and lathi-danda. It is alleged that Pankaj Sah (petitioner no.1) assaulted the informant with butt of pistol on her head with an intention to kill her causing head injury. It is alleged that when the informant's daughter came to save her, then he torn her blouse and brutally assaulted her. He also assaulted her daughter-in-law and snatched golden chain from her neck.

5. Learned counsel for the petitioner nos.2 to 5 submits that they are female members of the family and there is no specific allegation against them. Learned counsel submits that they have otherwise no criminal antecedent and they have been falsely implicated in this case.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner nos.2 to 5.

7. Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner nos.2 to 5 that they are female members of the family and there is no specific allegation against them, they have



otherwise no criminal antecedent and they have been falsely implicated in this case, this Court directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioner nos. 2 to 5 above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of Sri Vikash Kumar, learned Judicial Magistrate-1st Class, Begusarai in connection with Birpur P.S. Case No. 184 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. And further condition that the court below shall verify the criminal antecedent of the petitioner nos. 2 to 5 and in case at any stage it is found that they have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner nos. 2 to 5. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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