

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47837 of 2023

Arising Out of PS. Case No.-202 Year-2022 Thana- LAKHNAUR District- Madhubani

1. Urmila Devi Wife Of Thakur Prasad Mahto
 2. Radha Devi Wife Of Bauku Thakur
 3. Binod Mahto @ Binu Mahto @ Binod Kumar Son Of Late Ram Lakhn Mahto
 4. Rekha Devi @ Rekha Kumari Wife Of Binod Mahto
 5. Punam Devi Wife Of Bhogi Thakur
All Resident Of Village- Jorla, P.S.- Lakhnaur, District- Madhubani
- Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Lakhnaur P.S. Case No.202 of 2022 instituted under Sections 341, 323, 354(B), 379, 427, 504, 506/34 of the Indian Penal Code lodged on 19.09.2022 by the informant Poonam Devi.

As per the prosecution story, the allegation is that when she was standing near her door, the accused persons came, abused and badly assaulted stating that unless the case against them is withdrawn they will not allow them to live. The further allegation is of outraging the modesty and also snatching



of certain amount/ornament. Accordingly, the FIR.

As per the petition, omnibus allegation against all the accused persons. So far as outraging the modesty is concerned i.e. against co-accused Thakur Prasad and petitioner no.3 which is again false as he is an aged person.

Learned APP on the other hand opposes the prayer for anticipatory bail.

Taking into account the allegation is of 13.09.2022 and the FIR has been lodged six days later on 19.09.2022 and that inordinate delay has not been explained, omnibus allegation is there, two of the petitioners are ladies, this Court is inclined to grant them privilege of anticipatory bail.

Let the petitioners be released on bail, in the event of their arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Lakhnaur P.S. Case No.202 of 2022 to the satisfaction of learned ACJM, Ist, Jhanjharpur, Madhubani, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

(i) one of the bailor should be the family member of



the petitioners who shall provide official document to show their bona fide;

(ii) the petitioners will make themselves available to the police as and when required in course of investigation;

(iii) 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;

(iv) the petitioners 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;

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

(Rajiv Roy, J)

Prakash Narayan

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