

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47995 of 2023

Arising Out of PS. Case No.-57 Year-2023 Thana- BAJPATTI District- Sitamarhi

1. SAMMA PRAVIN WIFE OF JEYAULLAH R/O VILLAGE- MIRJAPUR,
P.S. BAJPATTI, DISTRICT- SITAMARHI
2. SALEHA KHATOON WIFE OF ABDUL SALAM R/O VILLAGE-
MIRJAPUR, P.S. BAJPATTI, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Tapeswar Sharma, APP
For the Informant	:	Mr. Santosh Kumar, Advocate

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 petitioner apprehends their arrest in connection with Bajpatti P.S. Case No. 57 of 2023 for the offence registered under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code lodged on 14.02.2023 by the informant, Kulsum Khatoon

As per the prosecution story, the allegation is that the grandson of the informant was playing cricket which hit a female nearby whereafter he was assaulted, the matter was pacified and they left for their home. Further allegation is that accused, Abdul Salam came with sharp cutting weapons and



cause injury to his grandson who was taken to Sadar hospital and then to the private hospital where he was critical. A passing by a reference has been made that the these two petitioners were also involved. Accordingly, the FIR.

Learned counsel for the petitioners submit that a bare perusal of the FIR would show that only to implicate the petitioners herein, who are ladies, their names had been incorporated.

Learned counsel for the informant though opposes the prayer for bail, has nothing to say what is the allegation against these two petitioners.

Considering the aforesaid fact that specific allegation is against Abdul Salam and no such allegation is against these two petitioners are ladies, this Court is inclined to grant them privilege of anticipatory bail. \

Let the petitioner, in the event of their arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail 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, Sitamarhi in connection with Bajpatti P.S. Case No. 57 of 2023, subject to condition as laid down under



Section 438(2) of the Cr.P.C.

(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 their 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 the bail bonds.

(Rajiv Roy, J)

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