

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51574 of 2022

Arising Out of PS. Case No.-193 Year-2021 Thana- SHYAMPUR BHATHA District-
Sheohar

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1. PRADEEP KUMAR SON OF LATE ISHWARCHAND SINGH R/O
VILLAGE- LALGARDH YOGIYA, P.S.- SHYAMPUR BHATHA,
DISTRICT- SHEOHAR
 2. VANDANA DEVI WIFE OF LATE ISHWARCHAND SINGH R/O
VILLAGE- LALGARDH YOGIYA, P.S.- SHYAMPUR BHATHA,
DISTRICT- SHEOHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nasim Yahya, Adv.

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-01-2023 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with Shyampur Bhataha P.S. Case No. 193 of 2021 instituted under Sections 147, 149, 323, 307, 325, 379, 427, 504 of the Indian Penal Code.

At the outset, Mr. Nasim Yahya, learned counsel for the petitioners submit that so far as the petitioner No. 1 namely, Pradeep Kumar is concerned, he has since been arrested and as such, the petition with regard to him has become infructuous.

The allegation in the FIR is that all the accused persons came to his reconstructed land and on the order of



Krishna Chandra Singh, the accused, Pradeep Kumar attacked with iron rod on the head causing grievous injury. The further allegation is of outraging the modesty of the daughter-in-law.

So far as the petitioner No. 2 is concerned, allegation is that she snatched the gold 'Mangalsutra'.

Learned counsel for the petitioner submits that direct allegation is against Pradeep Kumar who has since been arrested. The petitioner No.2, Vandana Devi, does not carry any criminal antecedent and only to exaggerate the FIR, the snatching part has been incorporated. The last submission is that similar placed co-accused have been released on bail vide Cr. Misc. No. 44884 of 2022 on 15.12.2022.

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

Taking into account the fact that the petitioner No. 2, Vandana Devi is an aged lady, she do not have criminal antecedent and the main allegation is against Pradeep Kumar, this Court is inclined to grant relief to the petitioner No. 2, Vandana Devi.

Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing



bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Shyampur Bhataha P.S. Case No. 193 of 2021 to the satisfaction of learned A.C.J.M.-1, Sheohar, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Ravi/Ajay
Singh/-

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