

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54769 of 2023

Arising Out of PS. Case No.-33 Year-2023 Thana- KAJRAILI District- Bhagalpur

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1. Shushma Devi Wife of Umesh Mandal @ Umesh Prasad Singh Resident of Village - Hariharpur, P.S. - Kajraili, Distt. - Bhagalpur
 2. Putul Devi @ Putul Kumari Wife of Bittu Kumar Resident of Village - Hariharpur, P.S. - Kajraili, Distt. - Bhagalpur
 3. Kumkum Kumari D/O Umesh Mandal @ Umesh Prasad Singh Resident of Village - Hariharpur, P.S. - Kajraili, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar, Advocate
For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-08-2023 Heard Mr. Dilip Kumar, learned counsel appearing on behalf of the petitioner and Ms. Rita Verma, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Kajraili P.S. Case No. 33 of 2023 registered under Sections 147, 149, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code.

3. The prosecution story, in brief, is that the petitioners and other accused persons have assaulted the informant and his family members and also snatched gold chain from the neck of informant's mother.

4. Learned counsel appearing on behalf of the petitioner submits that parties are *gotia* and having dispute amongst them since long time. Learned counsel further submits that petitioners are female members of the family and have no involvement in the alleged incident as stated in the F.I.R. against them. Learned counsel further submits that there is general and omnibus allegation of assault against the petitioners, on these grounds petitioners seeks to be released on anticipatory bail.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the nature of allegation and genesis of the incidence, parties are *gotia* and having dispute amongst them since long time, petitioners are female family members of the family, in above view of the matter, the petitioners have made out a, *prima facie*, case to be released on anticipatory bail.

7. Court below is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Judicial Magistrate, Bhagalpur in connection with Kajraili P.S. Case No. 33 of 2023, subject to the condition as

laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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