

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57684 of 2023

Arising Out of PS. Case No.-83 Year-2023 Thana- ASHTHAWAN District- Nalanda

1. Sanju Devi, aged about 60 years, wife of Rajendra Yadav Village- Masia Dih PS- Bind, District- Nalanda
2. Soni Devi, aged about 55 years, wife of Andhi Yadav Village- Masia Dih PS- Bind, District- Nalanda
3. Anita Devi, aged about 49 years, wife of Ramkrit Yadav Village- Masia Dih PS- Bind, District- Nalanda
4. Sanju Devi, aged about 48 years, wife of Dangal Yadav Village- Masia Dih PS- Bind, District- Nalanda
5. Sonam Devi, aged about 41 years, wife of Sanjay Yadav Village- Masia Dih PS- Bind, District- Nalanda
6. Nitu Devi, aged about 25 years, wife of Ranjan Yadav @ Atta Village- Masia Dih PS- Bind, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Sinha, Advocate
For the State : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-09-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Asthawan P.S. Case No. 83 of 2023 dated 24.03.2023 instituted under Sections 147, 148, 149, 341, 342, 323, 337, 338, 307, 353, 504, 506, 427, 120(B), 114, 115, 151, 152, 109, 332, 333, 336, 143, 145, 356, 379, 186, 201, 435, 511 and 414 of the Indian Penal Code.



3. As per the prosecution case, 27 named accused along with 100 unknown accused persons have misbehaved with the police force when they had gone for verifying the tractor loaded with the illegal sand.

4. Learned counsel for the petitioners submits that the petitioners, who are the house wives, are innocent and have been falsely implicated in this case. They have no criminal antecedent and there is general and omnibus allegation against them. They were not present at the place of occurrence and they have been implicated in this case due to village politics. The petitioners were not arrested from the spot and nothing has been recovered from the conscious possession of the petitioners. The petitioners have no concern with the alleged occurrence or the tractor which were used for uploading the alleged illegal mining sand. There is no material against the petitioners.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing



bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, IV, Biharsharif, Nalanda in Asthawan P.S. Case No. 83 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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