

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60796 of 2023

Arising Out of PS. Case No.-103 Year-2023 Thana- LODIPUR District- Bhagalpur

1. Manti Devi, Wife of Bhattu Tanti, Resident of Village- Baghmara, Agarpur, P.S- Lodipur, District- Bhagalpur
2. Hira Devi, Wife of Biltu Tanti, Resident of Village- Baghmara, Agarpur, P.S- Lodipur, District- Bhagalpur
3. Jira Devi, Wife of Laddu Tanti, Resident of Village- Baghmara, Agarpur, P.S- Lodipur, District- Bhagalpur
4. Madhu Devi, Wife of Mithun Tanti, Resident of Village- Baghmara, Agarpur, P.S- Lodipur, District- Bhagalpur
5. Annu Devi @ Annu Kumari, Wife of Teni Tanti, Resident of Village- Baghmara, Agarpur, P.S- Lodipur, District- Bhagalpur
6. Varsa @ Varsa Kumari @ Suman Kumari, Daughter of Laddu Tanti, Resident of Village- Baghmara, Agarpur, P.S- Lodipur, District- Bhagalpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Lodipur P.S. Case No. 103 of 2023 registered for the offences punishable under Sections 147, 149, 341, 323, 307, 504, 506 of the Indian Penal Code. They have no criminal antecedent.

3. As per the prosecution story, on 05.06.2023 at about 06:00 P.M. when the informant was at his house, in the



meantime, the FIR named accused persons including these petitioners armed with various weapons came at the door of the informant and one Mithun Tanti put gun on his chest asking as to why he complained about selling of liquor. When the informant opposed, the other FIR named accused persons also started assaulting him with lathi, iron rods. These petitioners were pelting stones on the informant.

4. Learned counsel for the petitioners submits that these petitioners are innocent and there is no specific allegation against them. It is only alleged that they were also present at the place of occurrence. It is further submitted that there is a counter case also and the co-accused Bhattu Tanti and Others have been granted privilege of pre-arrest bail in Cr. Misc. No. 58963 of 2023.

5. Learned APP for the State has opposed the prayer for pre-arrest bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein it is submitted that there is no specific allegation against the petitioners who are the lady members and the only allegation against them is that they were also present at the place of occurrence, there is a counter case as well and the co-accused, namely, Bhattu Tanti and Others have been granted



privilege of pre-arrest bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 58963 of 2023, this Court directs that in case of their arrest or surrender within a period of six weeks from today, the petitioners above named be released on bail in connection with Lodipur P.S. Case No. 103 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st, Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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