

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58477 of 2023**

Arising Out of PS. Case No.-186 Year-2023 Thana- PIPRA District- Supaul

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1. SANJHA DEVI WIFE OF BADRI MANDAL VILLAGE- THUMHA, PS- PIPRA, DIST- SUPAUL
 2. PARIYA DEVI WIFE OF LATE SHAMBHU MANDAL VILLAGE- THUMHA, PS- PIPRA, DIST- SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ranjay Kumar Singh, Advocate
For the Opposite Party/s	:	Mr.Md. Fahimuddin, APP
For the informant	:	Mr. Kuldeep Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-09-2023 Heard learned counsel for the petitioner, State and the informant.

The petitioner is in judicial custody in connection with Pipra P.S. Case No. 186 of 2023 for the offence punishable under Sections 341, 342, 323, 147, 149, 307 and 302 of the Indian Penal Code lodged on 27.5.2023 by the informant, Sulekha Devi.

As per the FIR, the allegation is that the accused persons armed variously, came and started abusing the husband of the informant and further specific allegation is against Badri Mandal and Ramfal Mandal of giving '*khanti*' and iron rod blow



respectively to him.

So far as these petitioners are concerned, the allegation is that they used stones and bricks to assault the informant's side. The informant's husband was rushed to Pipra Hospital, then to referral Hospital, Supaul whereafter Darbhanga Medical College Hospital and PMCH, Patna but he succumbed to the injuries and accordingly, the FIR.

It is the case of the petitioners that the occurrence is of 21.5.2023 but the FIR was lodged on 27.5.2023, specific allegation is/are against Badri Mandal and Ramfal Mandal that they gave iron rod and '*khanti*' blow respectively on the head of the informant's husband, omnibus allegation against these petitioners of using stones and bricks, are in custody since 28.5.2023 (para-4 of the petition) and do not have criminal antecedent.

Learned counsel for the informant on the other opposes the prayer stating that they also threw stones and bricks which caused injuries to the informant's husband and proved fatal.

Learned APP opposes the prayer stating that their role cannot be ignored.

Considering the submissions put forward by the



parties, there is specific allegation of assault against Badri Mandal and Ramfal Mandal, both the petitioners are ladies, do not have criminal antecedent, have remained in custody since 28.5.2023 and omnibus allegation is/are there, this Court is inclined to extend them the privilege of bail with conditions.

Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned A.C.J.M.,-VI, Supaul, in connection with Pipra P.S. Case No. 186 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his 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 petitioners 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 the bail bonds;

(iv) the petitioners shall desist from committing any



criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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