

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64810 of 2023

Arising Out of PS. Case No.-101 Year-2023 Thana- BISFI District- Madhubani

1. ANITA DEVI wife of Umesh Paswan Village- Dhepura Ghat Tol W.No-5, Ps- Bisfi Dist- Madhubani
2. Aparna Devi wife of Sushil Paswan Village- Dhepura Ghat Tol W.No-5, Ps- Bisfi Dist- Madhubani
3. Nitu Devi wife of Mukesh Paswan Village- Dhepura Ghat Tol W.No-5, Ps- Bisfi Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioners and the
learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Bisfi (Aunsi) P.S. case No. 101 of 2023 registered for the offence punishable under Sections 341, 323, 354(B), 379, 308, 504/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners along with other co-accused persons have indulged in assault and snatching of ornaments from the informant and her family members.

4. The learned counsel for the petitioners submits that



based on past enmity and local village politics, the petitioners, female members, have also been named as accused though they have no concern with the occurrence. In fact, the petitioner No. 1 had lodged one Bisfi P.S. case No. 70 of 2023 against the present prosecution parties. The petitioners have earlier been implicated in Bisfi P.S. case No. 294 of 2019, under similar circumstance and in that case, they are on bail.

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

6. Considering the rival submissions, nature of allegations against the petitioner and that assault is alleged against others, petitioners being female, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for anticipatory bail of the petitioners is allowed.

7. Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Benipatti in connection with Bisfi (Aunsi) P.S. case No. 101/2023, subject



to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the court if there is any change in the address of the petitioners.
- (ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

(Madhuresh Prasad, J)

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