

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75967 of 2023

Arising Out of PS. Case No.-129 Year-2023 Thana- BALIYA District- Begusarai

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1. Manju Devi @ Sanju Devi, W/O Dharmdev Yadav, R/O Village- Jagdishpur, P.S- Balia, Distt.- Begusarai.
 2. Jitani Devi, W/O Ramchhavila Yadav, R/O Village- Jagdishpur, P.S- Balia, Distt.- Begusarai.
 3. Rekha Devi, W/O Karmdev Yadav, R/O Village- Jagdishpur, P.S- Balia, Distt.- Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mrs. Devika Rani, Advocate
For the Opposite Party : Mr. Prem Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-12-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Balia P.S. Case No. 129 of 2023 dated 18.05.2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 504 and 506 of the I.P.C. and Section 27 of the Arms Act.



4. As per the prosecution case, the petitioners and other accused persons are alleged to have come armed with lathi, danda, iron rod and abused the informant. On being protested, on the order of the co-accused Fago Yadav, Ravindra Yadav the co-accused Nitish Yadav fired on the head of the informant's father due to which he sustained injury. The co-accused Ram Chabola Yadav fired on Raj Kumar Thakur @ Garib Thakur causing head injuries. The co-accused Bambam Yadav opened fire in the air due to which all women started crying. All the accused persons assaulted the informant, his mother and pregnant sister causing injuries and gave threatening the informant and others to face dire consequences.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. The petitioners and the informant are the next door neighbours and there is land dispute between the parties. There is general and omnibus allegation against the petitioners. The petitioners are ladies. There is no specific allegation of assault against the petitioners. The petitioners have clean antecedent as stated



in paragraph no. 3 of the bail application.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as no specific allegation of assault is alleged against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Begusarai, in connection with Balia P.S. Case No. 129 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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