

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73406 of 2023

Arising Out of PS. Case No.-741 Year-2023 Thana- KAHALGAON District- Bhagalpur

1. Guriya Devi Wife Of Vishwanath Mandal Resident Of Village- Chamtola, Kaithpura, Ps- Kahalgaon (RASALPUR Op), Distt- Bhagalpur
2. Urmila Devi Wife Of Amik Mandal Resident Of Village- Chamtola, Kaithpura, Ps- Kahalgaon (RASALPUR Op), Distt- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-11-2023 Heard Mr. Sanjeev Kumar, learned counsel for the petitioners and the State.

2. The petitioners are in judicial custody in connection with Kahalgaon (Rasalpur) P.S. Case No. 741 of 2023 for the offence punishable under Sections 147, 149, 302 of the Indian Penal Code lodged on 21.6.2023 by the informant, Lakhpati Goswami.

3. As per the prosecution story, the two petitioners, the ladies, assaulted the son of the informant alleging eve-teasing. The police was informed and the injured was rushed to Kahalgaon Hospital where he was declared dead. Accordingly, the FIR.



4. Learned counsel for the petitioners submit that due to eve-teasing by the deceased, some scuffle took place, the son of the informant fell on the ground, got injured which has been attributed to them as assault. There is omnibus allegation against all the accused persons of assault and further similarly placed co-accused Bebi Devi has been granted bail by a coordinate bench in Cr. Misc. No. 71722 of 2023. Let the same be kept on record.

5. Learned APP opposes the prayer stating that due to assault a young person's life came to an end.

6. In view of the fact that there is omnibus allegation the two petitioners, both are ladies, similarly placed Bebi Devi has been granted bail, as stated above, and they are in custody since 22.6.2023 (para-10 of the petition), this Court is inclined to extend them the privilege of bail with conditions.

7. 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 Chief Judicial Magistrate, Bhagalpur, in connection with Kahalgaon (Rasalpur) P.S. Case No. 741 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/her 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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