

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.350 of 2023

Arising Out of PS. Case No.-540 Year-2021 Thana- CHANPATIA District- West Champaran

1. Annu Kumari D/O Bhola Singh @ Om Prakash Singh R/V- Kudawa Mathiya, P.S.- Chanpatia, District- West Champaran
2. Anita Devi @ Saloni Devi Wife Of Jhunna Singh @ Jhunnu Singh R/V- Kudawa Mathiya, P.S.- Chanpatia, District- West Champaran
3. Sheela Kumari D/O Bhola Singh @ Om Prakash Singh R/V- Kudawa Mathiya, P.S.- Chanpatia, District- West Champaran
4. Asharfi Devi Wife Of Bhola Singh @ Om Prakash Singh R/V- Kudawa Mathiya, P.S.- Chanpatia, District- West Champaran
5. Munni Devi D/O Bhola Singh @ Om Prakash Singh R/V- Kudawa Mathiya, P.S.- Chanpatia, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-03-2023 Learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner nos. 2, 4 and 5.

Permission is granted.

Accordingly, this application is dismissed as withdrawn with regard to petitioner nos. 2, 4 and 5.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State for consideration of bail with regard to rest of the petitioners.

The petitioners are apprehending their arrest in a case



registered for the offence punishable under Sections 224, 225, 353, 34 of the Indian Penal Code and Sections 30(a), 45 of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that nothing has been recovered from the conscious possession of the petitioners. He submits that there is no specific overt act against the petitioners. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that the petitioners are the unmarried girl. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Petitioners are agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) each in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that the petitioners are the unmarried girl, let the above named petitioners in the event of their arrest or



surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 the learned court below where the case is pending/successor court in connection with Chanpatia (Kumarbag O.P.) P.S. Case No. 540 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. subject to the further conditions that:

(1) One of the bailors will be their own blood relative, preferably, father, mother, brother and sister.

(2) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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