

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16862 of 2024

Arising Out of PS. Case No.-190 Year-2023 Thana- BHARGAMA District- Araria

1. Lalita Devi W/o Jalehswar Yadav R/o Village - Raghunathpur, Ward No. 14, P.S. - Bhargama, Dist. - Araria, Bihar
2. Renu Devi W/o Niranjana @ Amit Yadav R/o Village - Raghunathpur, Ward No. 14, P.S. - Bhargama, Dist. - Araria, Bihar
3. Rinki Devi W/o Rupesh Yadav R/o Village - Raghunathpur, Ward No. 14, P.S. - Bhargama, Dist. - Araria, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pintu Kumar Patel, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-04-2024 Heard Mr. Pintu Kumar Patel, learned counsel for the petitioners and Mr. Manoj Kumar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bhargama P.S. Case No. 190 of 2023, F.I.R. dated 16.07.2023 for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 326, 307, 302, 504, 506 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, 17 F.I.R named accused persons including these petitioners and 7-8 unknown persons have brutally assaulted the informant and his family



members.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. He further submits that it appears from the F.I.R. that there is specific allegation against the co-accused, namely, Krishna Kumar Yadav, Bindewari Yadav, Niranjana Kumar and Bajrangi Yadav and there is no accusation of any assault or overt act against these petitioners rather there is general and omnibus allegation against the petitioners that they have also assaulted the brother of the informant.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent and all the petitioner are ladies, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Judicial Magistrate 1st Class, Araria in connection with Bhargama P.S. Case No. 190 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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