

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10278 of 2024

Arising Out of PS. Case No.-908 Year-2022 Thana- TURKAULIYA District- East
Champaran

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1. RACHNA KUMARI @ ARCHNA KUMARI Daughter of Belas Sah @ Rambilash Sah Resident of Village-Shankar Saraiya Kaswa Tola, P.S-Turkauliya, District-East Champaran.
 2. PUSHPA KUMARI D/o Belas Resident of Village-Shankar Saraiya Kaswa Tola, P.S-Turkauliya, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate Mr. Hemant Ray, Advocate Mrs. Rashmi Jha, Advocate
For the Opposite Party/s :		Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-02-2024 Heard Mrs. Rashmi Jha, learned counsel for the

petitioners and the State.

2. The petitioners are apprehending their arrest in connection with Turkauliya P.S. Case No. 908 of 2022 for the offence under Sections 147, 341, 323, 353 and 427 of the I.P.C. lodged on 18.09.2022, by the informant, Mithilesh Kumar.

3. As per the prosecution story, the informant alleged that the police personnel had gone to arrest one Belas Sah in connection with TurKauliya P.S. Case No. 240



of 2017, when all the accused persons assembled and made it sure that he escapes. In the process, they pelted stone on the police vehicle causing damage and injured the police personnel. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that an exaggerated FIR has been lodged in which all the family members have been implicated which include these petitioners who are females. Further, the injuries have been found to be simple in nature and the last submission is that without accepting the allegation and/or the outcome of the present petition, learned counsel for the petitioners submit that they are ready to pay Rs. 2,000/- each to the Chief Minister's Relief Fund.

5. Learned APP opposes the prayer.

6. Taking into account the fact that the petitioners are women, do not have any criminal antecedent, the injuries are found to be simple, this Court is inclined to grant them privilege of anticipatory bail subject to payment of Rs. 2,000/- to be paid to the Chief Minister's Relief Fund, as undertaken by the learned counsel for the petitioners.



7. Let the petitioners be released on bail in the event of their arrest or surrender within a period of four weeks from the receipt of this order, 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, Motihari, East Champaran in connection with Turkauliya P.S. Case No. 908 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show their 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.

8. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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