

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.13764 of 2024**

Arising Out of PS. Case No.-513 Year-2022 Thana- WAJIRGANJ District- Gaya

1. Munni Devi Wife of Bijendra Prasad Resident of Village- Kenar, P.S.- Wazirganj, District- Gaya
2. Babita Devi @ Babita Kumari Wife of Ranjeet Kumar Resident of Village- Kenar, P.S.- Wazirganj, Dist.- Gaya
3. Pinki Kumari Daughter of Bijendra Prasad Resident of Village- Kenar, P.S.- Wazirganj, Dist.- Gaya
4. Simpi Kumari Daughter of Bijendra Prasad Resident of Village- Kenar, P.S.- Wazirganj, Dist.- Gaya
5. Punam Devi @ Riya Devi @ Riya Kumari Wife of Satendra Kumar Resident of Village- Kenar, P.S.- Wazirganj, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anirudh Kumar Sinha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2 12-03-2024

Heard the parties.

2. The petitioners are apprehending their arrest in connection with Wazirganj P.S. Case No. 513 of 2022 for the offence under Sections 147, 148, 149, 323, 379, 354, 308 and 504 of the I.P.C. lodged on 30.09.2022 by the informant, Geeta Devi.

3. As per the prosecution story, the informant alleged that the accused persons armed with weapons came to her shop and started abusing. On objection, allegation is that Mukesh Kumar gave iron rod blow on the head of the informant, causing injury to the informant. Thereafter, all accused persons assaulted, they also picked up Rs. 7,000/-



from the cash counter. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that a bare perusal of the FIR would show that in a zeal to implicate each and every members of the family, all of them have been roped in. He submits that all the five petitioners are ladies, do not have criminal antecedent and the only fault of them is that they belong to the family of Mukesh Kumar.

5. Learned APP opposes the prayer stating that allegation is there against the accused persons.

6. Considering the facts of the case, all the petitioners are women, no direct allegation has been levelled against them and they do not have any criminal antecedent, this Court is inclined to extend them privilege of anticipatory bail with conditions.

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 Additional Chief Judicial Magistrate-1st, Gaya in connection with



Wazirganj P.S. Case No. 513 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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