

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16134 of 2024

Arising Out of PS. Case No.-214 Year-2023 Thana- ISHAKCHAK District- Bhagalpur

1. Bipin Mandal @ Bipin kumar singh Son of Late Anup Lal Singh Resident of vill.-Laluchak, P.S.-Ishakchak, Distt.-Bhagalpur
2. Savita Devi Wife of Bipin Kumar Singh @ Bipin Mandal Resident of vill.-Laluchak, P.S.-Ishakchak, Distt.-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-03-2024 Heard Mr. Neeraj Kumar, learned counsel for the
petitioner as also Mr. Ganesh Prasad Singh, learned APP.

2. The petitioners are apprehending their arrest in connection with Ishakchak P.S. Case No. 214 of 2023 for the offence under sections 341, 323, 337, 354, 308/34 of the I.P.C. lodged on 02.11.2023 by the informant, Babita Devi.

3. As per the prosecution story, the informant alleged that due to minor issue, the accused side started pelting stones causing injuries. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that omnibus nature of assault is there, it was a scuffle between the parties which resulted into FIR, they are ready to co-operate in



the investigation and will be diligently appearing in trial.

5. Learned APP opposes the prayer.

6. Taking into account the aforesaid submissions put forward by the parties as also that the petitioner no. 2 is a lady, the allegation is omnibus in nature, none of them have criminal antecedent, this Court is inclined to extend them the privilege of anticipatory bail with conditions.

7. Let the petitioners be released on bail in the event of 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, Bhagalpur, in connection with Ishakchak P.S. Case No. 214 of 2023 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 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.

(Rajiv Roy, J)

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