

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20668 of 2024

Arising Out of PS. Case No.-245 Year-2023 Thana- MANIGACHI District- Darbhanga

1. Sita Devi, W/o Dinesh Sah,
2. Khusboo Kumari D/o Dinesh Sah
3. Poonam Devi, wife of Mahadev Sah

All are residents of Village- Bajidpur, Ps- Manigachhi (Bajidpur OP)
District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidyanath Prasad, Advocate
For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Manigachhi P.S. Case No. 245 of 2023, registered for the alleged offences under Sections 147, 148, 149, 323, 307, 333, 353, 427, 447 and 504 of the Indian Penal Code.

3. As per prosecution case, police seized a motorcycle during patrolling as no documents were shown. Thereafter, 40-50 persons attacked the police station and assaulted the police personnel and damaged the police vehicle. They were trying to



forcibly take away the motorcycle seized by the police. The petitioners were named in this case by the local *Chaukidar* along with other co-accused persons.

4. The learned counsel for the petitioners submits that the petitioners are ladies and the motorcycle in question was purchased in the name of the petitioner no.1. When the petitioner no.1 went for release of the motorcycle, the informant demanded Rs.10,000/- and on her refusal, she was abused and assaulted. There is no specific allegation against the petitioners as the allegations are general and omnibus. The injury report of the injured shows only tenderness and abrasion. From the facts of the FIR, it is evident that no offence under Section 307 IPC is made out and incorporation of Section 353 IPC is due to grudge of the informant. The petitioners are having clean antecedents.

5. Learned APP vehemently opposes the submissions made on behalf of the petitioners. The learned APP submits that the petitioners were identified by the local *Chaukidar* and they abused and assaulted the informant and other police personnel.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioners are ladies and are having clean antecedent and allegations are non-specific against the



petitioners and further considering the possibility of false accusation, let the petitioners, above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, V, Darbhanga, in connection with Manigachhi P.S. Case No. 245 of 2023, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

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