

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22278 of 2024**

Arising Out of PS. Case No.-710 Year-2023 Thana- SHERGHATI District- Gaya

1. Reshmi Devi W/O Mohrai Mandal R/O Village- Bhusbhuliya, P.S- Sherghati, Distt.- Gaya.
2. Soniya Devi W/O Sulender Mandal R/O Village- Bhusbhuliya, P.S- Sherghati, Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Adv.

For the Opposite Party/s : Mrs. Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      26-06-2024                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners are apprehending arrest in connection with Sherghati P.S. Case No. 710 of 2023 lodged on 03.07.2023 for the offences punishable under Sections 341, 323, 324, 307, 504, 34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against seven named accused persons including the present petitioners. The specific allegation is against one Mohrai Mandal that he has attacked by iron rod on the head of the informant's father in law due to which he was brutally injured and subsequently died during the course of the treatment. It has also been specifically



alleged that the petitioner no.2 is the order giver.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel also submits that the criminal antecedent of the petitioners is clean. Counsel further submits that from the contents of the FIR, it becomes crystal clear that it is Mohrai Mandal against whom there is a specific allegation of assault upon the deceased by iron rod. Counsel further submits that there is general and omnibus allegation against petitioner no.1. Counsel also submits that since the petitioners are female, therefore, anticipatory bail may be granted to them.

5. Learned APP for the State on the other hand opposes the prayer for bail of the petitioners and submits that it is true that there is general and omnibus allegation against the petitioner no.1, but against petitioner no.2, there is a specific allegation that she is the order giver.

6. In response there of, learned counsel for the petitioners submits that from the bare reading of the FIR, it becomes clear that the said order giver has given the order after the occurrence and not prior to the occurrence and therefore, both the petitioners may be granted anticipatory bail.

7. As such, considering the aforesaid facts and



circumstances, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (thirty thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- I, Sherghati, Gaya, in connection with Sherghati P.S. Case No. 710 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Dr. Anshuman, J)**

Divyansh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

