

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27599 of 2024

Arising Out of PS. Case No.-353 Year-2023 Thana- UDAKISHUNGANJ District-
Madhepura

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1. Rinki Devi Wife of Raju Yadav Resident of Village- Mohanpur, P.s.- Bihariganj, Dist.- Madhepura
 2. Sinku Devi Wife of Rabindra Goswami Resident of Village- Pipra Karauti, Ward No.-01, P.S.- Udakishunganj, dist.- Madhepura
 3. Paro Devi Wife of Late Srikant Goswami Resident of Village- Pipra Karauti, Ward No. 01, P.S.- Udakishunganj, Dist.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-05-2024 Heard learned Counsel for the petitioners and

learned APP for the State.

2. The petitioners apprehend their arrest in connection with Udakishunganj P.S. Case No. 353 of 2023 for the offence registered under sections 302, 120(B) and 506 of the Indian Penal Code and section 27 of the Arms Act lodged on 16.11.2023 by the informant, Bechan Goswami.

3. As per the prosecution story, the informant alleged that while his son was going towards field, the accused persons including the petitioners herein surrounded in and on the order of Pawan Goswami, Chandan and Natwar Choudhary opened fire, causing injury to him. He was taken to Udakishunganj hospital and then to Madhepura but was declared dead.



Accordingly, the F.I.R.

4. Learned Counsel for the petitioner submits that a bare perusal of the F.I.R would show that specific allegation is against Natwar Choudhary and Chandan of opening fire which proved fatal. These petitioners are ladies, family members, implicated only in an exaggerated F.I.R. None of them have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that all of them surrounded the informant's son whereafter the killing took place.

6. Considering the aforesaid submissions put forward by the parties as also the specific allegation is against Natwar Choudhary and Chandan, these petitioners are ladies, none of them have criminal antecedent and no specific role has been attributed to them, this Court is inclined to extend them privilege of anticipatory bail.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1,



Udakishunganj, Madhepura in connection with Udakishunganj
P.S. Case No. 353 of 2023 subject to condition as laid down
under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family
members/relatives 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 their 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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