

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37664 of 2024

Arising Out of PS. Case No.-186 Year-2023 Thana- PIPRA District- East Champaran

1. Rekha Devi Wife of Suresh Sah R/O Village- Jahingra, P.S.- Pipra, District- East Champaran
2. Suresh Sah Son of Rajendra Sah R/O Village- Jahingra, P.S.- Pipra, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 02-08-2024 Heard Mr. Prateek Tandon, learned counsel for the petitioner and the State.

2. The petitioners are apprehending their arrest in connection with Pipra P.S. Case No. 186 of 2023 for the offence under Sections 341, 323, 324, 307, 354, 379, 504 and 34 of the I.P.C. lodged on 13.06.2023 by the informant, Shail Devi.

3. As per the prosecution story, there was an engagement ceremony in the house of the informant when Manish Kumar came at their door in an inebriated state and started abusing them. He was scolded by the informant side whereafter he left the place, engagement ceremony completed. The next day, he alongwith other accused persons came armed



variously and allegation against Vikash Sah @ Vikash Kumar is that he gave '*Farsa*' blow on the head of the informant's son who was engaged a day before causing injury to him. The allegation against Manish Kumar is of snatching the money from them as also the other accused persons assaulted the informant. The informant's son was rushed to the hospital followed by the FIR.

4. Considering the allegation that has come against the petitioner no. 2, Suresh Sah, no case of anticipatory bail is made out and the same is rejected.

5. So far as the petitioner no. 1, Rekha Devi is concerned, she is a lady, though present at the place of occurrence, no role has been attributed to her, this Court is inclined to extend her privilege of anticipatory bail with condition.

6. Let the petitioner no. 1, namely, Rekha Devi 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 SDJM, Sadar at Motihari, East Champaran in connection with Pipra P.S. Case No. 186 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/relative of the petitioner no. 1 who shall provide official document to show their bona fide;

(ii) the petitioner no. 1 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 petitioner no. 1 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 petitioner no. 1 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)

Adnan/-

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