

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39899 of 2024

Arising Out of PS. Case No.-353 Year-2021 Thana- RAJNAGAR District- Madhubani

1. Nilam Devi wife of Shyam Yadav Village- Pilakhwar, Ps- Rajnagar, Dist- Madhubani
2. Usha Devi wife of Upendra Yadav Village- Pilakhwar, Ps- Rajnagar, Dist- Madhubani
3. Ranju Kumari D/o- Shyam Yadav Village- Pilakhwar, Ps- Rajnagar, Dist- Madhubani
4. Sarita Kumari @ Sutri Kumari @ Sutti Kumari D/o- Ram Pukar Yadav Village- Pilakhwar, Ps- Rajnagar, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nitu Kumari, Advocate
For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-10-2024 Heard Ms. Nitu Kumari, learned counsel for the
petitioner and the State.

2. The petitioners are apprehending arrest in connection with Rajnagar P.S. Case No. 353 of 2021 instituted under Sections 341, 504, 323, 325, 307, 354, 379/34 of the Indian Penal Code lodged on 18.12.2021 by the informant, Rekha Devi.

3. As per the prosecution story, the allegation is that the accused persons armed variously attacked the informant and



her family members with 'Farsa'/iron rod/wooden rod/knife etc. So far as these petitioners, all of whom are ladies, allegation is that they were also having rods and further against the petitioner no.1 allegation is of snatching of chain. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that a perusal of the FIR would show that all the family members have been implicated, assigning the role, these petitioners are ladies, nothing to do with the case, some other accused persons have been granted anticipatory bail vide Cr. Misc. No. 49418 of 2022 and Cr. Misc. No. 51321 of 2022. It is her further submission that earlier the police had submitted final form but subsequently cognizance has been taken on 10.03.2024 which resulted into their knocking the doors of Patna High Court.

5. Learned APP opposes the prayer that in the FIR all have been named.

6. Though the petitioners are named in the FIR, the main allegation is against other accused persons, injuries have been found to be simple in nature, these petitioners are ladies and earlier final form was submitted but since cognizance has been taken, they have preferred this petition, accordingly, this Court is inclined to extend them the privilege of anticipatory bail.



7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court 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 the like amount each in connection with Rajnagar P.S. Case No. 353 of 2021 to the satisfaction of learned Additional Chief Judicial Magistrate 1st, Madhubani subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(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 co-operate in the investigation and make themselves available to the police as and when required;

(iv) 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;

(vi) 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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