

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64710 of 2023

Arising Out of PS. Case No.-282 Year-2021 Thana- GUTHANI District- Siwan

1. SUBHASH TURHA Son of Late Shivnath Sah @ Shivnath Turha Resident of village - West Guthani, P.S. - Guthani, Distt. - Siwan 841435
2. URMILA DEVI W/o Subhash Turha Resident of village - West Guthani, P.S. - Guthani, Distt. - Siwan 841435
3. MAYA DEVI W/o Late Shivaji Turha Resident of village - West Guthani, P.S. - Guthani, Distt. - Siwan 841435
4. SATYENDRA TURHA Son of Late Shivaji Turha Resident of village - West Guthani, P.S. - Guthani, Distt. - Siwan 841435
5. RAMBHA DEVI W/o Hareram Turha Resident of village - West Guthani, P.S. - Guthani, Distt. - Siwan 841435

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhakar Singh
For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 22-01-2024 Heard the parties.

2. Petitioners apprehend their arrest in connection with Guthani P.S. Case No.282 of 2021, registered for the offences u/s 147, 148, 149, 341, 323, 376, 302, 504, 506 of the IPC.

3. Learned counsel for the petitioner seeks permission to withdraw this application with regard to the petitioner nos.1 and

4.

4. Permission is granted.

5. Accordingly, the instant application as against the



petitioner nos.1 and 4 is dismissed as withdrawn.

6. However, if the petitioner nos.1 and 4 surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below shall pass the order, on the same day, in accordance with law considering that the some of the accused persons have been acquitted by the learned Court below in Trial No.227 of 2022.

7. Now, this application is being heard with regard to the petitioner nos.2, 3 and 5 only.

8. Allegedly, the petitioners and other co-accused persons went to the house of the informant and assaulted his family members. It is alleged that accused persons forcibly gave poison to the son of the informant due to which he died.

9. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioner nos.2, 3 and 5 are ladies and there is no specific overt act against them. Petitioners have no criminal antecedent.

10. Learned APP for the State opposed the prayer for



anticipatory bail.

11. Having regard to the facts and circumstances of the case as the petitioner nos.2, 3 and 5 are ladies and there is no specific overt act against them, let the above named petitioner nos.2, 3 and 5, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Guthani P.S. Case No.282 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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