

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74062 of 2024

Arising Out of PS. Case No.-157 Year-2023 Thana- AAYAR District- Bhojpur

1. Motijhari Devi @ Shivaratiya Devi Wife of Shivjee Yadav
2. Renu Devi Wife of Sunil Yadav @ Sunil Kumar
Both Resident of Bankat, P.S.- Aayar, Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 11-11-2024

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for bail apprehending their arrest in connection with Aayar P.S. Case no.157 of 2023 registered for the offence punishable under sections 307, 341, 323, 504 and 34 of the Indian Penal Code and sections 25(1-B)(a) and 26 of the Arms Act.

3. As per the prosecution case, over a dispute relating to construction of a wall, it is stated that the three accused persons including the two petitioners came and co-accused Shivjee Yadav resorted to firing causing firearm injury.

4. Learned counsel for the petitioners submits that the petitioners who are ladies have been falsely implicated in the case because of land/property dispute between the parties over construction of boundary wall which would be evident from the contents of the FIR itself. Referring to the FIR, it is submitted



that the main/sole allegation is against co-accused Shivjee Yadav and the two petitioners who are ladies have been implicated in the case only to pressurize the petitioner's side. The allegation of firing is solely against Shivjee Yadav. The petitioners who are ladies have no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioners in the FIR, the allegation of firing being solely against co-accused Shivjee Yadav and the petitioners who are ladies not having any criminal antecedent, it is directed that the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Aayar P.S. Case no.157 of 2023 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Ara.

(Partha Sarthy, J)

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