

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79651 of 2024

Arising Out of PS. Case No.-146 Year-2020 Thana- SHANKARPUR District- Madhepura

1. Nilam Devi, W/O Tej Narayan Yadav, R/O Village- Hirolwa Sunderpatti, P.S- Shankarpur, Distt.- Madhepura.
2. Mina Devi, W/O Bijo Yadav, R/O Village- Hirolwa Sunderpatti, P.S- Shankarpur, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma, Advocate

For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 28-11-2024 Heard learned counsel for the petitioners and Mr. Bharat Lal, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Shankarpur P.S. Case No. 146 of 2020 instituted for the offence under Sections 323, 341, 308, 379, 354B, 504, 506/34 of the Indian Penal Code.

3. The case of the prosecution is that co-accused Bijo Yadav assaulted the wife of informant. When the informant's daughter came to save her mother, the petitioners caught hold of her and co-accused Bijo Yadav assaulted with iron rod causing injury at her back and hand.



4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. They are having no criminal antecedent. It is further submitted by learned counsel for the petitioners that due to lack of knowledge of the order passed in A.B.P. No. 111/21 dated 23.11.2021 they have not surrendered within time.

5. From perusal of the order of the learned trial Court itself it is clear that anticipatory bail petition of the petitioners was allowed on 23.01.2021 but as they have not surrendered, further time was not allowed to them and after that they have filed another anticipatory bail petition which was rejected by the trial Court. From perusal of the order of the trial Court itself it is clear that the petitioners are ladies and they deserve anticipatory bail. It is only a matter of time during which they should surrender before the trial Court.

6. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

7. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a



period of four weeks from today and in the event of their arrest or surrender in connection with Shankarpur P.S. Case No. 146 of 2020, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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