

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85401 of 2023

Arising Out of PS. Case No.-243 Year-2023 Thana- RAJPUR District- Buxar

-
1. Puja Devi WIFE OF DAROGA RAM RESIDENT OF VILLAGE- RAJAPUR P.S.- RAJPUR, DISTRICT- BUXAR
 2. SHYAMPATTI DEVI WIFE OF SURESH RAM RESIDENT OF VILLAGE- RAJAPUR P.S.- RAJPUR, DISTRICT- BUXAR
 3. SANTBILASH RAM SON OF LATE KEDAR RAM RESIDENT OF VILLAGE- RAJAPUR P.S.- RAJPUR, DISTRICT- BUXAR
 4. DAROGA RAM SON OF SANTBILASH RAM RESIDENT OF VILLAGE- RAJAPUR P.S.- RAJPUR, DISTRICT- BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-01-2024 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Rajpur P.S. Case No. 243 of 2023 for the offence registered under sections 341, 323, 342, 307, 427, 504, 506 and 509 of the Indian Penal Code lodged on 19.06.2023 by the informant Rakesh Kumar.

3. As per the prosecution story, the informant has alleged that when his goat entered the vacant land of the petitioner no. 3, he purposely hit on her stomach fully knowing



that she is pregnant. Upon objection, other accused persons assaulted the informant and allegation against petitioner no. 4, Daroga Ram is of hitting the informant's head causing injury. As the villagers assembled, they left the place but not before threatening them. Accordingly, the FIR.

4. Learned Counsel for the petitioners submit that there is a case and counter case in the matter in which all the family members have been implicated. He however, accepts that both the petitioner nos. 3 and 4 are having criminal antecedent.

5. Considering the kind of allegation that has come against both the petitioner no. 3, Santbilash Ram and petitioner no. 4, Daroga Ram, as also that they have criminal antecedents, this Court is not inclined to extend them privilege of anticipatory bail, which is accordingly rejected.

6. The petitioner no. 3, Santbilash Ram and petitioner no. 4, Daroga Ram are directed to surrender within a period of four weeks from today and in that case the Court concerned shall take up the matter and dispose of the same without being prejudiced by any of the observation made herein preferably on the same day.

7. So far as the petitioner no. 1, Puja Devi and petitioner no. 2, Shyampatti Devi are concerned, considering the



fact that they are ladies, do not have criminal antecedent, this Court is inclined to extend them privilege of anticipatory bail.

8. Let the petitioner no. 1, Puja Devi and petitioner no. 2, Shyampatti Devi in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Buxar in connection with Rajpur P.S. Case No. 243 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner no. 1, Puja Devi and petitioner no. 2, Shyampatti Devi, who shall provide official document to show their *bona fide*;

(ii) the petitioner no. 1, Puja Devi and petitioner no. 2, Shyampatti Devi 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, Puja Devi and petitioner no. 2, Shyampatti Devi 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 their bail bonds;

(iv) the petitioner no. 1, Puja Devi and petitioner no. 2, Shyampatti Devi 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)

Neha/-

U		T	
---	--	---	--

