

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86618 of 2023

Arising Out of PS. Case No.-361 Year-2023 Thana- BASANTPUR District- Siwan

1. Lalti Devi WIFE OF SATROHAN MAHATO RESIDENT OF VILLAGE- JAGATPUR BALTHARI, PS- LAKDI NABIGANJ (OP), DISTT- SIWAN
2. SATROHAN MAHATO @ SATAN MAHATO SON OF JHUNKHUN MAHTO RESIDENT OF VILLAGE- JAGATPUR BALTHARI, PS- LAKDI NABIGANJ (OP), DISTT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-01-2024 Heard Mr. Ajit Kumar learned counsel for the petitioner and the State.

2. The petitioners are apprehending their arrest in connection with Basantpur P.S. Case No 361 of 2023 for the offence under Sections 341, 323, 307, 354, 504 and 34 of the I.P.C. lodged on 16.07.2023 by the informant, Lalbabu Mahto.

3. As per the prosecution story, the informant alleged that while sitting on door the neighbour and accused persons came and started assaulting by wooden/iron rods. Specific allegation is against petitioner No. 02 of assaulting the aged mother of the informant.

4. Considering the aforesaid fact this Court is not



inclined to extend the privilege of anticipatory bail to the petitioner No. 02 Satrohan Mahato @ Satan Mahato and his petition stands rejected.

5. So far as the petitioner No. 01, Lalti Devi is concerned, taking into account the facts that she is a lady, the allegation of assault is on Satrohan Mahato, she do not have any criminal antecedent, this Court is inclined to extend her (petitioner No. 01 namely (Lalti Devi) the privilege of anticipatory bail.

6. Learned APP opposes the prayer.

7. Let the petitioner no.1, Lalti Devi be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-10th, Siwan in connection with Basantpur P.S. Case No. 361 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner 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 her bail bond by the Trial Court itself;

(iii) the petitioner 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;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

7. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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