

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85056 of 2023

Arising Out of PS. Case No.-259 Year-2023 Thana- SIMRI District- Buxar

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1. Runi Devi @ Runiya Devi, W/o late Amawas Paswan, R/o Vill.- Balihar, P.S.- Simari, Dist.- Buxar.
 2. Neha Devi, W/o Babu Paswan, R/o Vill.- Balihar, P.S.- Simari, Dist.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 18-01-2024 Heard Dr. Kamal Deo Sharma, learned counsel

appearing on behalf of the petitioners and the learned APP for

the State.

2. The petitioners are apprehending their arrest in connection with Simari P.S. Case No. 259 of 2023 registered for the offences punishable under Sections 147, 149, 341, 323, 332, 353, 354, 504, 506 of the Indian Penal Code.

3. Allegedly in the night of 01.08.2023, when the police party conducted raid for arresting the wanted accused of Simari P.S. Case No. 233 of 2023 and Simari P.S. Case No. 218 of 2023, co-accused Dipu Paswan tried to flee away and when the police tried to apprehend him, his family members, including the petitioners, obstructed the police party in



discharging their duty and also misbehaved and assaulted.

4. It is submitted on behalf of the petitioners that from the F.I.R., it is evident that the alleged raid was conducted at 1.00 A.M. in the night without any warrant/search warrant. Further, there is no specific allegation against the petitioners of any assault to the informant and other police personnel. All the more, the petitioners are ladies and there is a complaint case instituted by petitioner no.1 against the informant and other police personnel, bearing Complaint Case No. 47 (C) of 2023.

5. On the other hand, learned APP for the State opposes the bail application and submits that petitioner no.1 bears two criminal antecedents, in relation to excise matter, and, as such, she appears to be habitual offender.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that the petitioners are ladies and there is omnibus allegation against them, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Buxar in connection with Simari P.S. Case No. 259of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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