

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86274 of 2024

Arising Out of PS. Case No.-267 Year-2024 Thana- SULTANGANJ District- Bhagalpur

1. Lila Devi W/O Vikash Mandal @ Vikash Boss Resident of Village- Fatehpur, Police Station- Sultanganj, Dist.- Bhagalpur.
2. Juli Devi W/O Dablu Kumar Resident of Village- Fatehpur, Police Station- Sultanganj, Dist.- Bhagalpur.
3. Kajal Devi W/O Ravi Kumar Resident of Village- Fatehpur, Police Station- Sultanganj, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar
For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 16-01-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sultanganj Police Station Case No. 267 of 2024, dated 07.06.2024, disclosing offences punishable under Sections 341/323/452/326/307/302/120-B34 of the Indian Penal Code and Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that co-accused Vikash Mandal used to have bad intention upon the informant. On 06.06.2024, in the evening, while the informant's niece was taking a bath on



the hand pump of the house, co-accused Vikash Mandal threw a stone upon her, thinking her to be the informant. When the informant's husband protested, all the accused persons, including the petitioners, came at the door of the informant and started assaulting them and co-accused Vikash Mandal fired bullets, which hit the husband of the informant and the 11-years old son of the informant. The injured later on succumbed to the bullet injuries.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and they have falsely been implicated in this case because they happen to be the family members of main assailant, co-accused Vikash Mandal. He further submits that no overt act has been alleged against the petitioners in the First Information Report. He further submits that the only specific allegation is against co-accused Vikash Mandal of firing upon the son and husband of the informant.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the petitioners are ladies and they have been made accused due to the fact that they happen to be the family members of the main assailant, co-accused Vikash



Mandal, no overt act has been alleged against the petitioners and the only allegation against the petitioners is that they instigated co-accused Vikash Mandal, who fired upon the son and husband of the informant, I am inclined to grant the petitioners privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Bhagalpur, in connection with Sultanganj Police Station Case No. 267 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

U	✓	T	✓
---	---	---	---

