

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30116 of 2014

Arising Out of PS.Case No. -45 Year- 2013 Thana -MAHILA P.S. District- PATNA

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1. Prabhawati Singh @ Prabha Singh wife of late Lalan Singh resident of village Surajpura, p.s. Shekhpura District Balia (U.P.) at present Flat no. A/1A Alakraj Apartment East Boring Canal Road, Patna Buddha Colony District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey

For the Opposite Party/s : Mr. Binod Kumar-Ii(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 19-03-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 323,341,307,325,326 and 354/34 of the Indian Penal Code, section 22(A) of Protection of Women from Domestic Violence Act and section 23 of Protection of Children from sexual harassment Act.

It is alleged that the informant's daughter was working as domestic help of the petitioner when she was assaulted and caused burn injury. Wages were also not paid.

It is submitted by the learned counsel for the petitioner that the accusation of assault is not specific. The informant in 164 Cr.P.C. statement has stated that there was only dispute with

regard to non-payment of wages and her signature was taken on fardbeyan and she has not supported the accusation of assault or causing of burn injury.

It is submitted by learned APP that the injury has been found to be grievous and the victim in 164 Cr.P.C. statement has supported the accusation.

However, the retracted version of the informant recorded in the statement under section 164 Cr.P.C. constitutes ground for consideration of the prayer for regular bail of the petitioner by the learned court below in case the petitioners surrender within six weeks from today in connection with Patna Mahila P.S. Case No. 45 of 2013 pending in the court of learned JM Ist Class, Patna.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

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