

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33297 of 2015

Arising Out of PS.Case No. -211 Year- 2015 Thana -MOHANIA District- BHABHUA (KAIMUR)

1. Suman Devi Wife of Ram Pravesh Kumar Singh Resident of Village -
Karigaon, P.S. - Mohania, District - Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. Subhash Chandra Mishra(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-08-2015

Heard learned counsels for the petitioner
and the State.

Petitioner is apprehending her arrest in a
case registered for the offences punishable under Sections 341,
323, 307, 302, 34 of the Indian Penal Code.

It is alleged that five F.I.R named accused
persons including the petitioner assaulted with lathi and iron
rod to the brother of the informant Sunil Kumar Singh and
when the mother of the informant and the informant came to
rescue they were also assaulted. Subsequently brother of the
informant succumbed to the injuries.

It is submitted by learned counsel for the
petitioner that the postmortem report reflects only bruise and
swelling and as per doctor the anti mortem injury was not the
cause of death. It is further submitted that petitioner was

assaulted at the hands of the informant's side on suspicion that petitioner used to practice witchcraft. The petitioner's side lodged Complaint Case No. 622(C) of 2015 prior to the lodging of the present case. It is further submitted that for the occurrence of 19.05.2015 the First Information Report was registered on 22.05.2015 and similarly situated co-accused Ameerchand Singh has been granted anticipatory bail vide Cr. Misc. No. 32914 of 2015. Moreover the petitioner has also received injuries.

Considering the delayed lodging of the case, the accusation not being corroborated by the medical opinion, accusation of assault is omnibus and general, petitioner being lady and similarly situated co-accused has been granted anticipatory bail, let the petitioner, above named, in the event of her arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. Case No. 211 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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