

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4162 of 2015

Arising Out of PS.Case No. -69 Year- 2014 Thana -JAYNAGAR District- MADHUBANI

1.Moti Kala Devi wife of Ramprakash Tethwar @ Prakash Tethwar
2.Dev Narayan Yadav @ Dev Narayan Tethwar son of Late Sampait
Tithwar.

Both are resident of village- Khairamath (Tole Bagahi),P.S. Jainagar,
District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. A.M.P.Mehta(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 30-01-2015 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in a case registered
for the offences punishable under Sections 341, 323, 324, 307,
504 and 34 of the Indian Penal Code.

There is specific allegation against petitioner no.1 that
she gave dagger blow to the informant causing injury on his chest
whereas there is allegation against petitioner no.2 that he gave
Tenguri blow on the head of the informant.

The contention on behalf of the petitioners is that there
is a case and counter case between the parties and both sides
sustained injuries. It is further contended that altogether four



injuries on the person of informant were found and out of the aforesaid four injuries, opinion regarding two injuries were kept reserved whereas two injuries were found simple in nature. It would appear from perusal of Annexure 3, photo copy of the injury report of the informant, that the injury found on the chest of the informant was simple in nature and so far as head injury of the informant is concerned, the opinion regarding the said injury has been kept reserved.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking into note of the fact that the petitioner no.1 is a lady, her anticipatory bail is allowed and it is ordered that petitioner no.1 (Moti Kala Devi), in the event of her arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Madhubani, in Jainagar P.S.case No. 69/2014 corresponding to G.R.No. 1067/2014 subject to the conditions as laid down u/s 432(2) Cr.P.C.

So far prayer for anticipatory bail of petitioner no.2 is concerned, the same stands rejected.

However, if petitioner no.2 surrenders before the

concerned court within four weeks from the date of receipt/production of a copy of this order and seeks regular bail, the prayer for regular bail of petitioner no.2 shall be considered on its own merit without being prejudiced by this rejection order particularly taking note of nature of injury sustained by the informant as well as the age of the petitioner.

(Hemant Kumar Srivastava, J)

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