

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35513 of 2015

Arising Out of PS.Case No. -179 Year- 2014 Thana -CHHATAPUR District- SUPAUL

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Anita Devi wife of Shambhu Rajak@ Shamaprabhu Rajak

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 04-09-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 341, 447, 323, 379, 504, 307 of the Indian Penal Code and, subsequently, 302 I.P.C. was also added.

The prosecution case is that 11 FIR named accused persons including the petitioner abused the informant, on protest being made co-accused Bechan Rajak assaulted with iron rod on the head of the informant when his daughter and son came to rescue, they were also assaulted. The accused persons also snatched Rs.500/- from the informant.

It is submitted by learned counsel for the petitioner that the accusation of assault to the informant is only specific against Bechan Rajak whereas the accusation of making assault to the

daughter and son of the informant is omnibus and genera against all the accused persons including the petitioner. The post-mortem of the informant reflects one lacerated (stiches) wound in left occipital parietal junction. Though, the cause of the death has been found to be heart failure due to pre-existing heart disease. The injury of the daughter of the informant has been found to be two bruises of marginal size, but simple in nature.

Considering the fact that the specific accusation of assault is not against this petitioner, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Supaul in connection with Chhatarpur P.S. Case No.179 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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