

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36723 of 2015

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

=====

Rubita Devi Wife of Shri Jai Prakash Rajak resident of village - Birbal
Parsha, P.O. Surjapur, P.S. Chhatapur, District - Supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat

For the Opposite Party/s : Mr. Nirmala Kumari(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 10-09-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending her arrest in
a case registered for the offences punishable under Sections 147,
341, 447, 379, 504 and 307 of the Indian Penal Code.
Subsequently, section 302 of the IPC was also added.

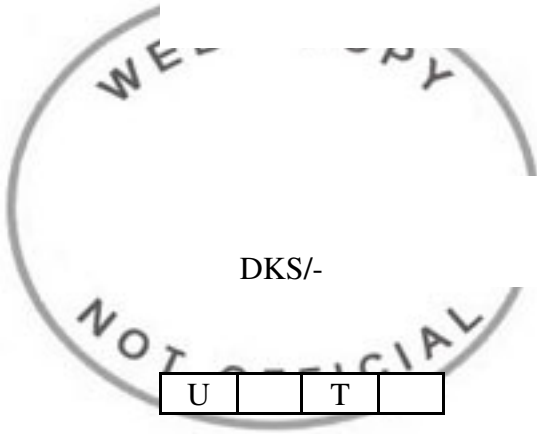
The prosecution case is that on 14.07.2014
the informant made protest against his brother for putting
garbage on his share of land then the informant's brother started
abusing the informant. On the order of co-accused Anil
Kumar co-accused Bechan Rajak assaulted with rod on the head

of the informant when the daughter and son of the informant came to rescue they were also assaulted. The accused persons further took out Rs.500/- from the possession of the informant.

It is submitted by learned counsel for the petitioner that only one lacerated injury was found on the scalp of the informant but the informant succumbed to the injuries after three days of the occurrence. The injury of the daughter of the informant has been found to be simple in nature. The accusation of assault is specific only against Bechan Rajak.

Considering the fact that accusation of assault is not specific against the petitioner, there is omnibus and general accusation of assault to the daughter and son of the informant when the injury of the daughter of the informant has been found superficial, it is submitted that the son of the informant has not received any injury and a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of her arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Supaul in connection

with Chhatapur P.S. Case No. 179 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)

U		T	
---	--	---	--