

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10609 of 2016

Arising Out of PS.Case No. -198 Year- 2015 Thana -JALE District- DARBHANGA

- =====
1. Surendra Mahto, son of late Thadi Lal Mahto.
 2. Reena Devi, Wife of Brahmdeo Mahto,
Both Residents of village - Narauchh, P.S. Jalley, District - Darbhanga.
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
For the Opposite Party/s : Mr. B.M.P.Sinha (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 20-06-2016 Heard both sides.

The application for anticipatory bail on behalf of petitioner no.1, namely, Surendra Mahto has already been withdrawn vide order dated 18.4.2016 and hence now the case will survive only against petitioner no.2, namely, Reena Devi.

The petitioner no.2 apprehends her arrest in connection with Jalley P.S. Case No. 198 of 2015 registered for offences punishable under Sections 302, 341, 323, 325, 504/34, 34 of the Indian Penal Code and Section 3/4 of the Prevention of Witch Practices Act.

In the First Information Report, the Informant has alleged that Brahmdeo Mahto assaulted him and also assaulted the wife of the Informant causing fracture injury on her hands. The petitioner no.2, Reena Devi, assaulted Kapoor Chand Mahto, the

father of the Informant.

Learned counsel for the petitioner no.2 has submitted that the petitioner no.2 is a lady who is alleged to have assaulted on the eye of the deceased but, there was no injury on the eye.

From perusal of the Postmortem Report, it appears that there is a fracture injury on the head just above the eye i.e. at the temporal region of the deceased.

Considering the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner no.2. Accordingly, the prayer for anticipatory bail of the petitioner no.2, namely, Reena Devi is rejected.

If the petitioner no.2 surrenders, the court below shall consider the prayer for regular bail expeditiously preferably on the same day in accordance with law taking into consideration that co-accused Surendra Mahto has already been enlarged on bail.

(Prabhat Kumar Jha, J)

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