

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46780 of 2016

Arising Out of PS.Case No. -110 Year- 2016 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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1. Arvind Jaishwal son of Anirudh Jaishwal
2. Vinay Jaishwal son of Anirudh Jaiswal
3. Chinta Devi wife of Anirudh Jaishwal All are the resident of Village-
Garihatta Chauk, Chanpatia, Ward No.2, Police Station Chanpatia, District-
West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lalan Kumar Verma

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 07-12-2016 Heard both sides.

The petitioners apprehend their arrest in Chanpatia
P.S. Case No. 110/2016, registered for the offences punishable
under Section 307 and other Sections of the Indian Penal Code.

The informant alleged that water was thrown on her
body for that some verbal altercation took place. The accused
persons, namely Anirudh Jaiswal, Arvind Jaishwal (Petitioner No.
1), Govind Jaiswal, Ramesh Jaishwal, Vinay Jaiswal (Petitioner
No. 2) and Chinta Devi (Petitioner No. 3) came and abused the
informant. When the informant protested, Ramesh Jaiswal
assaulted her with knife. Arvind Jaiswal assaulted her with the butt



of lathi which hit just below the eye. Vinay Jaiswal assaulted her with *Labeda* which hit on her head.

Learned counsel for the petitioners submits that on account of some petty dispute due to flow of drainage, the occurrence took place. The informant got as many as five injuries but only Injury No. 3 is opined to be grievous in nature.

It appears that there is no allegation of assault against Chinta Devi (Petitioner No. 3).

Considering the facts aforesaid, Petitioner No. 3 Chinta Devi above named in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-cum-Sub Judge VII, West Champaran at Bettiah in connection with Chanpatia P.S. Case No. 110/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

So far as the case of Petitioner Nos. 1 Arvind Jaiswal and Petitioner No. 2 Vinay Jaiswal is concerned, Arvind Jaiswal is alleged to have assaulted the informant with butt of lathi just below the eye. Vinay Jaiswal assaulted the informant with *Labeda*



on her head. The injury found just below the eye near the nose is opined to be grievous in nature and head injury is also found on account of assault made by Vinay Jaiswal.

Considering the facts aforesaid, I am not inclined to enlarge Petitioner Nos. 1 and 2 above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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