

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46538 of 2016

Arising Out of PS.Case No. -191 Year- 2016 Thana -RAJAUN District- BANKA

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1. Jitendra Yadav S/o Chhattu Yadav
2. Amrita Devi Wife of Niranjana Yadav Both are Resident of Village-
Jabra, P.S. Rajoun, District Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Sri Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 30-11-2016 Heard both sides.

The petitioners apprehend their arrest in Rajoun P.S.
Case No. 191/2016, registered for the offences punishable under
Sections 147, 148, 149, 341, 324, 325, 307, 379, 354, 504 and 506
of the Indian Penal Code.

The informant Manorama Devi alleged that while she
was going to work in her field along with her husband, the
petitioners along with other accused persons caught her and asked
why she did not cast vote in favour of Amrita Devi, Petitioner No.
2 in the election of Mukhiya. On the order of Jitendra Yadav, all
the accused persons assaulted her. Niranjana Yadav assaulted with
spade on her head. Jitendra Yadav, Petitioner No. 1 assaulted her

with *Farsa* on her leg and her leg was severely injured. Nakul Yadav assaulted with spade on her left leg and elbow. Vikash Yadav also assaulted her with *Garasa*. Amrita Devi, Petitioner no. 2 is said to have stripped her cloths.

Learned counsel for the petitioners submits that the informant got injury only on her left thigh and left forearm. Author of the injury was Nakul Yadav and Vikash Yadav. No other injury was found on the person of the informant, *but* it appears that the injury report (Annexure-2) is issued by the doctor of Jawahar Lal Nehru Medical College Hospital, Bhagalpur. The informant was referred to JLNLMCH from the PHC, Rajoun and the injury report of the PHC is not annexed. Petitioner no. 1 Jitendra Yadav assaulted the informant with *Farsa* on her leg.

Considering the fact that Petitioner No. 1 Jitendra Yadav assaulted the informant with *Farsa* on her leg, I am not inclined to enlarge Petitioner No.1 Jitendra Yadav above named on anticipatory bail. Accordingly, the same is rejected.

So far as the case of Petitioner No. 2 Amrita Devi is concerned, she is alleged to have stripped the cloth of the informant but she did not assault the informant.

Considering the facts aforesaid, Petitioner No. 2 Amrita 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 Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No. 191/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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