

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28680 of 2016

Arising Out of PS.Case No. -288 Year- 2014 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

Munri Devi wife of Late Sikandar Paswan, Resident of Village-
Mohiuddinpur, P.S.- Rahui, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate
For the State : Mr. Pawan Kumar Chaurasiya, APP
For the Informant : Ms. Soni Shrivastava, Advocate
: Ms. Madhuri Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 17-08-2016 Heard learned counsel for the petitioner, learned counsel
for the State and learned counsel for the informant.

The petitioner seeks pre-arrest bail in connection with
Rahui P.S. Case No. 288 of 2014 registered under Sections 147,
148, 149, 341, 323, 324, 337 and 302/120B of the Indian Penal
Code.

It is submitted by the learned counsel for the petitioner
that the petitioner, who is an old widow lady, has got no criminal
record. She has been implicated in the present case due to enmity
existing from before. It is also submitted that though eight persons
have been made accused in the FIR, the postmortem report would



indicate that the victim did not sustain as many as eight injuries. He submits that from perusal of the FIR it would be evident that there is allegation that all the accused persons repeatedly brutally and mercilessly assaulted the deceased till she died. However, the injuries sustained by the deceased, as would reflect from the postmortem report, did not corroborate the allegations made in the FIR.

On the other hand, learned counsel for the informant and learned counsel for the State have vehemently opposed the application for grant of pre-arrest bail to the petitioner. They have submitted that minutest details of the occurrence are not expected to be made in the FIR. The petitioner is one of the named accused and there is specific case of the prosecution that all the accused persons including the petitioner have participated in the commission of crime. They have also submitted that the postmortem report would indicate that several incised wounds were found on the person of the deceased.

I have heard learned counsel for the parties and perused the record.

Regard being had to the fact that one of the accused, namely, Upendra Paswan has already been granted bail by a Bench of this Court vide order dated 11.2.2016 passed in Cr. Misc.

No.54161 of 2015, the petitioner, namely, Munri Devi, who is a widow lady, in the event of arrest or surrendered in the court below within six weeks from today, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Nalanda at Bihar Sharif in connection with Rahui P.S. Case No. 288 of 2014 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Md.S./-

(Ashwani Kumar Singh, J)

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