

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31059 of 2016

Arising Out of PS.Case No. -95 Year- 2016 Thana -DIGHA District- PATNA

1. Ram Sakhi Devi W/o late Deep Narayn Sao
2. Sita Devi W/o Manohar Sao Both Resident of Mohalla- X. T.T. I. Uttar Galio, P.S digha District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh
For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 16-08-2016 Heard the counsel for the petitioners and Mr. Raman, APP
for the State.

The two petitioners herein are mother and daughter. In brief, the allegation is that on the relevant date, the accused persons came over the Darwaza. The petitioner Ram Sakhi Devi assaulted the younger brother of the informant with a brick on his hip resulting fracture. It is further alleged that she also assaulted the informant with brick resulting injury on his head.

The contention of the petitioners is that there is a counter case lodged by petitioner no.1. Owing to animosity, this case has been lodged. The injuries are not such so as to make out a case under section 307 IPC. There is no allegation of having committed

any overt act on the part of petitioner no.2 who is the married daughter of petitioner no.1.

Learned APP opposed the prayer and submitted that petitioner no.1 is responsible for inflicting injuries to the brother of informant as well as the informant. One of the injuries was found grievous.

Considering the facts and circumstances of the case, in my view, petitioner no.1 Ram Sakhi Devi does not deserve the privilege of anticipatory bail. Her prayer for bail is rejected.

So far as petitioner no.2, above named, is concerned, in the event of arrest/surrender within four weeks from today, she shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Sri Md. Inam Khan, J.M. 1st Class, Patna in Digha P.S. Case No. 95 of 2016 on condition that one of the bailors shall be her own/close family member. She shall appear in person on each date fixed at the trial. In case of default in appearance, her bail bonds shall stand cancelled.

(Kishore Kumar Mandal, J)

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