

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9413 of 2016

Arising Out of PS.Case No. -377 Year- 2015 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

=====

Geeta Devi @ Gita Devi wife of Tejilal Sah @ Tejilal Mahto

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat (Spl.App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-03-2016 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504, 379, 406, 420 of the Indian Penal Code and section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Prosecution case is that on 15.10.2015 at 9. PM the informant went to the house of one Tejilal Mahto for demanding the due amount money with regard to transfer of land to the informant when all the accused persons including the petitioners abused the informant. On protest being made, Tejilal Mahto assaulted with 'Nepali Khukhari' on the head of the informant. It is alleged against the petitioner that she assaulted with iron rod on the neck of the

informant when co-accused Munna Kumar assaulted him with by-cycle chain on his waist. On alarm being raised Naresh Ram came to rescue but he was assaulted by son-in-law of Tejlal Mahto and also abused by calling caste name. The accused persons also snatched gold chain worth Rs.28,000/-, wrist watch worth Rs.3300/- and cash Rs.12000/- from the informant.

It is submitted by learned counsel for the petitioner that in the background of land dispute the accusation has been levelled. The injury report suggests only one lacerated injury of minor size and no cut injury has been found on the neck of the informant which is attributed against the petitioner. Moreover, the informant has retracted from initial version and has filed a petition to that effect before the learned court below, the same has been brought on record as annexure-3 to the petition. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Sikrahana at Dhaka, East

Champan in connection with Ghorasahan (Jharokhar) P.S. Case
No.377/2015, subject to the conditions as laid down under
Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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