

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31049 of 2017

Arising Out of PS.Case No. -12 Year- 2016 Thana -BHADWAR District- GAYA

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Asha Devi, Wife of Anil Kumar, Resident of Village- Chahra- Pahra, Police
Station- Bhadwar in the district of Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjeet Kumar, Advocate

For the Opposite Party : Mr. Md. Ashlam Ansari (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 19-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends her arrest in connection
with Bhadwar P.S. Case No. 12 of 2016, registered for the
offences punishable under Sections 341, 323, 325, 504, 302/34 the
Indian Penal Code and Section 3/4 of Dain Act.

In the fardbeyan of Manorama Devi there is
allegation against the petitioner who have stated 'Dain' to the
informant and abused the informant and her husband. The
allegation of assault is against J.P. Kumar and Sepi Kumar by
which the husband of the informant died. Later on, it is claimed
that the petitioner and other co-accused have killed the husband of
the informant.



Submission is of false implication and that against the petitioner there is no allegation to have assaulted the husband of the informant, specific allegation is against J.P. Kumar and Sepi Kumar. During investigation also nothing has come against the petitioner to have assaulted the husband of the informant and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that the petitioner has stated the informant as 'Dain' and was spreading rice floor and further she abused the informant and her husband.

In the facts and circumstances as stated above, considering the allegation, I am not inclined to grant privilege of pre-arrest bail to her and accordingly her such prayer stands rejected in connection with Bhadwar P.S. Case No. 12 of 2016, pending in the Court of learned Judicial Magistrate, 1st Class, Sherghati, Gaya.

(Jitendra Mohan Sharma, J.)

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