

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35064 of 2017

Arising Out of PS.Case No. -99 Year- 2017 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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Smt. Pushpa Singh @ Pushpa Singh W/o Praveen Kumar Singh R/o Ward
No. 9 Chakia, P.S. Chakia, District - East Champaran. Petitioner
Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar -3, Advocate

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending her arrest in connection
with Chakia P.S. Case No. 99 of 2017 registered for the offences
punishable under Sections 341, 323, 504, 427 and 353/34 of the
Indian Penal Code, seeks the privilege of pre-arrest bail.

Allegedly, when authorities of Nagar Panchayat came
and removed the encroachment, the petitioner, her husband and
devar had obstructed the work of removing encroachment and they
misbehaved with them.

Submission is of false implication and prior to
encroachment no notice was given to them and First Information
Report itself shows that after the occurrence notice was given. The
dispute was settled but in spite of that the present case has been



filed. The petitioner has got no criminal antecedent. The husband and devar of the petitioner have already been allowed pre-arrest bail vide Criminal Miscellaneous No. 33580 of 2017 by order dated 20.07.2017 and, as such, the petitioner also deserves sympathetic consideration.

The learned A.P.P. fairly submits that the other co-accused have already been allowed pre-arrest bail.

In the facts and circumstances as stated above, the petitioner, in case of her arrest or surrender within four weeks from the date of receipt/production of the copy of this order, shall be released on bail on execution of 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, Motihari, East Champaran in connection with Chakia P.S. Case No. 99 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

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