

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43589 of 2017

Arising Out of PS.Case No. -251 Year- 2017 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

=====

1. Savita Devi W/o Birchandra Roy, resident of Village- Gadai Sarai, P.O.-
Gadai Sarai, P.S.- Sadar Hajipur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Rina Sinha

For the Opposite Party/s : Mrs. Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 03-10-2017

Heard both sides.

The petitioner apprehends her arrest in Hajipur Sadar P.S. case No. 251 of 2017 for the offences punishable under Section 323, 379 and other Sections of the Indian Penal Code.

The informant named the petitioner along with other accused persons and alleged that when her husband forbade the accused persons from demolishing the tiles of the roof, Raja Kumar assaulted her husband with iron rod on his head. The petitioner is alleged to have assaulted Rajesh Rai, husband of the informant, with Garasi on his thigh. The petitioner is further alleged to have assaulted the informant with Garasi on her head.

The learned counsel for the petitioner submits that husband of the petitioner is co-sharer of the husband of informant. There is land dispute between the parties. The petitioner is alleged



to have assaulted the husband of informant with Garasi on his thigh but no corresponding injury was found on thigh of husband of informant. The petitioner is further alleged to have assaulted the informant with Garasi on her head but the informant warded off the blow on her wrist but no injury was found on the wrist of informant as would appear from Annexure-2 series.

Considering the facts that petitioner is co-sharer of the informant, the quarrel took place on account of land dispute and the petitioner is a lady, the petitioner above named in the event of her arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged 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 Additional Chief Judicial Magistrate-XIII, Vaishali at Hajipur in connection with Hajipur Sadar P.S. case No. 251 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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