

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43698 of 2017

Arising Out of PS.Case No. -3 Year- 2017 Thana -BELDAUR District- KHAGARIA

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Nisha Kumari, Wife of Anil Kumar Singh, Resident of Village- Akaha,
P.S.- Beldaur, District- Khagaria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 21-09-2017 Heard both sides.

Petitioner apprehends her arrest in Beldour P.S. Case
No.3 of 2017 under Section 307 and other Sections of the Indian
Penal Code.

The informant alleged that while he was putting fertilizer
in his field, the petitioner, her husband and son forbade him on the
order of Anil Kumar Singh. The husband of the petitioner Abhijit
Kumar, the son of the petitioner assaulted the informant with lathi
on his head. The petitioner and her husband are alleged to have
assaulted the informant with fists and slaps. Petitioner is further
alleged to have taken Rs.3,500/- from the possession of the
informant.

Learned counsel for the petitioner submits that petitioner



is a lady and she did not take part in the occurrence.

During the course of investigation, none of the witness except the informant supported the prosecution case and made any allegation against the petitioner. The Investigating Officer, after investigation, submitted final form, finding the case false against the petitioner but the learned court below took cognizance merely on the statement of the informant against the petitioner.

Considering the facts aforesaid that police after investigation did not find the case true against the petitioner, petitioner above named, in the event of her arrest or surrender before the court below within four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate III, Khagaria in connection with Beldour P.S. Case No.3 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J)

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