

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 23506 of 2017

Arising Out of PS.Case No. -157 Year- 2016 Thana -PAROO District- MUZAFFARPUR

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Sabita Devi, Wife of Munni Lal Paswan, Resident of Village- Anandpur
Kharouna, P.S. Paru, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Kumari Vandana and Mr. Jitendra Narain Sinha, Advocates
For the Opposite Party/s	:	Mr. Kumar Ranjit Ranjan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 13-07-2017

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in Paroo P.S. Case
No. 157 of 2016 dated 23.07.2016 instituted under Sections 302/34 of
the Indian Penal Code.

3. The allegation against the petitioner and her husband
is of assault on the husband of the informant and specifically against
the petitioner by iron rod whereas against the husband by *Fasuli*.

4. Learned counsel for the petitioner submitted that she
is a lady having two minor children and as per the *fardbeyan* also the
dispute is with regard to grazing of the goat of the petitioner in the
maize field of the informant and thereafter, the allegation is that the
husband of the petitioner had assaulted the husband of the informant



with *Fasuli* on the chest leading to his death and only by way of cosmetic addition to implicate the petitioner also, she is alleged to have assaulted the husband of the informant by rod. Learned counsel submitted that the postmortem report does not disclose any bodily injury except for the wound on the chest by *Fasuli* and not by any other hard blunt substance. Learned counsel further submitted that the petitioner has no criminal antecedent.

5. Learned A.P.P. submitted that the petitioner is also alleged to have assaulted the deceased by rod.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within four weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Muzaffarpur in Paroo P.S. Case No. 157 of 2016, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J.)

P. Kumar

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