

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18424 of 2017

Arising Out of PS.Case No. -282 Year- 2016 Thana -KHIJARSARAI District- GAYA

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Lali Devi @ Lalo Dev,i Wife of Manoj Prasad Gupta @ Manoj Kumar,
Resident of Village- Sarbahda, Police Station- Khizersarai, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Syed Asgher Najmi, Advocate

For the Opposite Party : Mr. Anand Kishore Choudhary (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 30-06-2017 Heard learned counsel for the petitioner, learned

counsel for the informant and learned counsel representing the

State.

The petitioner apprehends her arrest in connection
with Khizarsarai P.S. Case No. 282 of 2016, registered for the
offences punishable under Sections 341, 323, 504, 506, 379,
307/34 of the Indian Penal Code.

Allegedly, the petitioner assaulted the informant with
iron rod on her head causing cut injury thereafter other accused
also started assaulting her. Co-accused Soni took out ear ring of
the informant whereas co-accused Alok Kumar tried to outrage the
modesty of the daughter of the informant.

Submission is of false implication and that the
occipital region on scalp incised wound has been found which is
caused by sharp cutting weapon and there is allegation against the



petitioner who has assaulted with iron rod so the injury is not possible by iron rod. The petitioner has also lodged case against the informant and other vide Khizarsarai P.S. Case No. 283 of 2016, there is allegation and counter allegation and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that the petitioner has assaulted with iron rod on the head of the informant and on the head, injury has been found though cut by sharp cutting weapon.

In the facts and circumstances as stated above, considering that no lacerated wound has been found on the person of the informant rather the injury is of sharp cutting weapon and, as such, the petitioner in the event of her arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 learned Additional Chief Judicial Magistrate, 7th, Gaya, in connection with Khizarsarai P.S. Case No. 282 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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