

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12769 of 2017

Arising Out of PS.Case No. -64 Year- 2016 Thana -GAMAHARIYA District- MADHEPURA

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Ganita Devi, W/o Late Rajendra Yadav @ Deo Narayan Yadav @ Bittu
Yadav, Resident of Village- Jiwachhpur, P.S.- Gamharia, District-
Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Nafisuzzoha, Advocate.

For the Opposite Party/s : Mr. Indra Kumar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 11-04-2017 Heard both sides.

The petitioner apprehends her arrest in Gamharia P.
S. Case No. 64 of 2016 registered for the offences under Sections
341, 323, 364 and 120B of the Indian Penal Code.

The informant Bindeshwari Prasad filed complaint
case on the basis of which the present F.I.R. was lodged. The
informant alleged that on 24.02.2016 when his nephew Deo
Narain Yadav @ Bittue went outside his house to attend call of
nature, the petitioner and others assaulted him. From that time,
his nephew is traceless.



Learned counsel for the petitioner submits that the present case is a concocted one. The petitioner filed Gamharia P.S. Case No. 57 of 2016 on 25.02.2016 against the sons of the informant who assaulted her husband Rajendra Yadav and thrown him towards the road. Villagers took her husband to Hospital and during the course of treatment, her husband died. It is submitted that the informant lodged this case making false and omnibus allegation against the petitioner to save his sons. There is a land dispute between the parties. The petitioner is a lady.

The informant filed a complaint case on 14.03.2016 for the offence said to have committed on 24.02.2016 but the petitioner had lodged the case on 25.02.2016 in which she made specific allegation against the informant and others for brutally assaulting her husband who consequently died during the course of treatment.

Considering the facts aforesaid and the petitioner is a lady, the above named petitioner, 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 the learned Chief Judicial Magistrate,



Madhepura in Gamharia P. S. Case No. 64 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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