

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39785 of 2017

Arising Out of PS.Case No. -43 Year- 2017 Thana -SAHKUND District- BHAGALPUR

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Sarita Devi, Wife of Kailash Tanti, Resident of Village-Diwakar Kita, P.S.
Shahkund, District-Bhagalpur.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr.
For the State : Mr.
For the Informant : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 15-09-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State as also the learned counsel for the informant.

The petitioner apprehends her arrest in connection with
Shahkund P.S. Case No.43 of 2017/G.R. No.1059 of 2017
registered under Sections 302 and 307/34 of the Indian Penal
Code.

The allegation of the informant Ratan Tanti is that when he
was getting the soil, which was fallen from the wall of Munna
Tanti in front of his house, levelled, at that time, Kaliash Tanti
came there and threw the soil to his house after lifting the same.
When the informant and his father made protest, Kailash Tanti
went to his house and, thereafter, Kailash Tanti having khanti in



his hand and his wife Sarita Devi(petitioner) having brick in her hand came and both caused injury at the head of his father due to which he fell down on the ground and became unconscious. Kailash Tanti caused injury at the temporal region of the informant. The father of the informant, later on, died.

Learned counsel appearing on behalf of the petitioner submits that while there is allegation against this petitioner to throw bricks but non has sustained injury through bricks. The specific allegation to cause injury through Khanti at the head of the deceased, the father of the informant, is against Kailash Tanti, the husband of this petitioner. In the post-mortem report, only one injury caused by hard and blunt substance was found on the head of the deceased, which is said to be the cause of the death. The petitioner being the wife of Kailash Tanti was present there, due to that reason, she has falsely been implicated in this case. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender by her within six weeks from today, be enlarged on bail on her furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Bhagalpur, in connection with



Shahkund P.S. Case No.43 of 2017/G.R. No.1059 of 2017, subject
to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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