

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47153 of 2017

Arising Out of PS.Case No. -235 Year- 2017 Thana -BAHERA District- DARBHANGA

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1. Amla Devi @ Amala Devi, W/o Shyam Yadav,
2. Amarika Devi W/o Shrawan Yadav, Both R/o Village- Radhiyam, P.S.-
Bahera, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 10-11-2017 Heard both sides.

The petitioners apprehend their arrest in Bahera P.S.
Case No.235 of 2017 registered under Sections 307 and other
Sections of the Indian Penal Code and later on Section 302 of the
Indian Penal Code was added.

The informant alleged that Shyam Yadav was passing
through his land. The informant asked him not to go through the
land. On such, Shyam Yadav abused the informant. It is further
alleged that Shrawan Yadav, Ajay Yadav, Nunu Yadav, Shyam
Yadav, Kalavindra Yadav, Vinod Yadav, Mithilesh Yadav, Amla
Devi, petitioner No.1, Amarika Devi, petitioner No.2, Sunita Devi
came there and they all assaulted his elder brother and father.



Shrawan Yadav assaulted on head of the father of the informant and blood started oozing. Other accused persons also assaulted with lathi. It is further alleged that Shyam Yadav assaulted his father with iron rod on the back of his head and Vinod Yadav assaulted his father with Farsa. His father got injury on head. Other accused persons assaulted with lathi.

The learned counsel for the petitioners submits that petitioners are ladies. There is no specific allegation of assault against the petitioners. During the course of investigation, the witnesses have stated that the lady members of the family came later on and participated in quarrelling but there is no specific allegation of assault against the petitioners. Motilal Yadav, the father of the informant died but there is specific allegation against Shrawan Yadav that he assaulted Motilal with iron rod and Vinod assaulted with farsa. Only two injuries were found on the head of the father of the informant. The brother of the informant got one injury which is attributed to Shrawan Yadav. No other injury on the person of the informant or his brother and father was found.

The learned Additional P.P. submitted that the petitioners are ladies and during the course of investigation, it has only found that petitioners quarreled with the family members of the informant.



Considering the facts aforesaid and the nature of allegation made against the petitioners, the petitioners, above named, in the event of their 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 are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Benipur, Darbhanga in connection with Bahera P.S. Case No.235 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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