

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47715 of 2017

Arising Out of PS. Case No.-118 Year-2017 Thana- MUFFASIL District- Aurangabad

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1. Rita Devi, W/o Baban Yadav,
 2. Kamta Yadav, S/o Janeshwar Yadav,
All resident of Village- Hasauli, P.S.- Mufasils (Aurangabad),
District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-10-2017

Heard learned Counsel appearing on behalf of the
petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case
registered for the offences punishable under Sections
341/323/324/308/379/504/506/34 of the Indian Penal Code.

The prosecution case got initiated on the Fardbeyan
of Devmantiya Devi, recorded on 12.07.2017, at 15.50 hours at
Sadar Hospital, Aurangabad, by the Sub-Inspector of Police,
Ramjeet Singh of Nagar Police Station, to the effect that on
11.07.2017 at 5.30 P.M. the informant was cleaning the drainage
to drain out the rain water. In the meantime, the accused persons
came and one of co-accused, Baban Yadav, assaulted with
Khanti on the head of the informant causing cut injury and Ram



Janam Yadav assaulted with lathi on the left hand causing fracture injury. It is alleged that petitioner no.1 Rita Devi assaulted with bricks whereas petitioner no.2, Kamta Yadav, abused the informant and gave threat to life. It is also alleged against petitioner no.2, Kamta, that he snatched a gold chain from the informant worth Rupees Forty Thousand.

It is submitted by learned Counsel appearing on behalf of the petitioners that for the occurrence of 11.07.2017, the Fardbeyan was recorded on 12.07.2017 when the FIR was registered on 17.07.2017. There is counter version of the occurrence also and in the background of land dispute the accusation has been levelled. The accusation of assault is not against petitioner no.2 and petitioner no.1 is a lady. The specific accusation of assault is against co-accused persons. A statement has been made in paragraph no.3 of the petition that the petitioners have no criminal antecedence.

Learned APP for the State submits that the specific accusation of assault is against other two accused persons.

Considering the fact that the thrust of accusation is against the co-accused persons and petitioner no.1 is a lady, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below



within a period of 12 weeks from today, 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, Aurangabad, in connection with Mufassil P.S. Case No.118/2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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