

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23100 of 2018

Arising Out of PS. Case No.-7 Year-2018 Thana- SHASTRINAGAR District- Patna

Kiran Devi, Wife of Shri Bipin Doman Mahto, Resident of Board Colony,
Besides Gayatri Mandir in the Jhoparpatti, P.S. Sastri Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nikhil Kumar Agrawal, Adv. Ms. Additi Hansaria, Adv. Mrs. Adv. Deepika Sharma.
For the Opposite Party/s :		Mrs. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-04-2018 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 307 and 504/34 of the IPC.

The prosecution case, as per the written report of Sulekha Devi dated 04.01.2018, submitted to the Station House Officer, Shastri Nagar Police Station is to the effect that since there was some dispute with regard to spreading clothes on 02.01.2018, when the accused persons including the petitioner assaulted and abused the informant. Ultimately, neighbours pacified the issue. On 04.01.2018, again while the informant was washing utensils, accused persons came, abused and assaulted the informant. It is alleged against the petitioner that she assaulted with Khanti on



the head of the informant.

It is submitted by learned counsel for the petitioner that for a petty dispute, the accusation has been levelled. The petitioner is a lady. The injury report of the informant is not on record, as gets reflected from the impugned order, but a statement has been made in paragraph no.19 of the petition that the informant has not received any grievous injury. However, there is no accusation of repetition of blow, hence even assuming the accusation, no offence under Section 307 IPC is made out against the petitioner. Moreover, similarly situated accused persons, including the husband and father-in-law of the petitioner have been granted privilege of anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 13625 of 2018. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that accusation is specific against the petitioner.

Considering the motive behind the occurrence, there is no accusation of repeating blow and the petitioner being a lady, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on



furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Shastri Nagar P.S. Case No. 07 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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