

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27029 of 2018

Arising Out of PS. Case No.-258 Year-2016 Thana- DIGHA District- Patna

=====

Rubi Devi, W/o Ramesh Kumar, R/o Mohalla- Kurji Hamidpur Gate No. 80,
P.S.- Digha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dharendra Singh, Adv.

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

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 307/34, 323, 337 and
341 of the Indian Penal Code.

The prosecution case got initiated on the Fardbeyan of
Keshri Devi, recorded by Devendra Kumar Singh, S.I, TOP-
PMCH, Patna on 02.10.2016 at 01.10 P.M at Camp Emergency
Ward Bed No. 29, PMCH, to the effect that the informant has
two sons, namely, Pankaj Kumar and Ramesh Kumar. Both the
sons are living separately. The informant also resides separately
in a room and she has let out other room to some other person
for her livelihood. It is further alleged that petitioner, who is the
wife of younger son of the informant, namely, Ramesh Kumar



used to abuse and assault the informant. However, the son of the informant, being husband of the petitioner, used to pacify the issue, but the petitioner is not even ready to listen her husband. On 01.10.2016, at 06.00 A.M., the petitioner pelted brick on the head of the informant from the roof of the house causing bleeding injury from her head. The impugned order suggests that the informant and his son appeared before the learned Sessions Judge and explained the pathetic condition of the informant.

It is submitted by learned counsel for the petitioner that for a petty dispute the accusation has been levelled. For the occurrence of 01.10.2016, the FIR was registered on 07.10.2016, however, the Fardbeyan was recorded on 02.10.2016. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State the accusation is specific against the petitioner of pelting brick.

Considering the nature of accusation and statement of the informant and his son, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on provisional anticipatory bail for one year, 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 SDJM, Patna, in connection with Digha P.S. Case No.258 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, it is undertaken that the petitioner will make payment of rupees three thousand to the informant by way of medical assistance within a period of one month by depositing the same before the learned Court below, which will be released in favour of the informant.

The Digha Police Station will submit monthly report before the learned Court below about the conduct of the petitioner for next one year and upon being satisfied with the conduct of the petitioner by the end of for one year, the learned Court below will be at liberty to confirm the provisional bail of the petitioner.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

