

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42382 of 2018

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1. Rekha Devi, Wife of Budhinath Mandal, Resident of Village- Karhariya,
P.S.- Sahkund (Sajour), District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Smt. Sahin Begam, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 20-07-2018

Heard both sides.

The petitioner apprehends her arrest in Sahkund (Sajour) P.S. case No. 218 of 2015 for the offences punishable under Sections 307 and other minor Sections of the Indian Penal Code.

The informant alleged that Budhinath Mandal, Rekha Devi, petitioner, and Mithilesh Mandal, having armed with lathi and hammer, came and assaulted the informant. Budhinath Mandal assaulted the informant with spade. When Rupesh Kumar, son of the informant, came to save Rekha Devi, the petitioner, is alleged to have assaulted Rupesh Kumar with lathi.

The learned counsel for the petitioner submits that the prayer for anticipatory bail of the petitioner was earlier



rejected by the learned Session Judge but thereafter the petitioner again filed anticipatory bail petition after compromise. The husband of the petitioner has already been granted anticipatory bail on the basis of compromise. The injury found on the head of Rupesh Kumar is simple in nature. Now good sense prevailed.

Taking into consideration the fact that husband of petitioner has already been granted anticipatory bail by the learned 1st Additional Session Judge, Bhagalpur and the case of the petitioner stands on better footing and petitioner is a lady, the petitioner above named in the event of her 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 is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bhagalpur in connection with Sahkund (Sajour) P.S. case No. 218 of 2015 subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

BKS/Rajan

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