

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.758 of 2018

Arising Out of PS.Case No. -386 Year- 2014 Thana -PURNEA SADAR District- PURNIA

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Bibi Sairun, Wife of Md. Salim @ Salim, Resident of Village-Pokharia,
P.S. Muffasil (Sadar), District-Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 12-01-2018

Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State and learned counsel
for the informant.

The petitioner seeks pre-arrest bail in connection
with Sadar (Muffasil) P. S. Case No. 386 of 2014 registered
under Sections 147, 148, 149, 307 and 324 of the Indian Penal
Code.

It is submitted by the learned counsel for the
petitioner that there is case and counter case. In the counter case
vide Sadar (Muffasil) P. S. Case No. 387 of 2014, the husband
of the petitioner alleged that the informant side was aggressor
and when the informant and others were cutting the tress of the
petitioner, on protest by the husband of the petitioner, they
attacked upon him and the petitioner causing serious injuries to



them. He submitted that in the scuffle, the informant also sustained certain injuries out of which one was found grievous. He submitted that because of the injuries sustained, the petitioner and her husband were hospitalized for several days.

On the other hand, learned counsel for the informant vehemently opposed the prayer for grant of pre-arrest bail to the petitioner. He submitted that even though the petitioner is a lady, she is alleged to have assaulted the informant with *dabiya* on his head causing grievous injury.

Regard being had to the facts argued before the Court, specially Annexure-2 to the present application, which is an FIR instituted by the husband of the petitioner against the informant and others, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Purnea in Sadar (Muffasil) P. S. Case No. 386 of 2014, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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