

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62238 of 2017

Arising Out of PS.Case No. -50 Year- 2016 Thana -KAHAIYA District- MUZAFFARPUR

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Sarsatiya Devi @ Sarsati Devi W/o Dinesh Mahto, R/o Village- Patti
Asawari , P.S.- Kattaiya, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Kathaiya PS case no. 50 of 2016 registered for the offences punishable under Sections 341, 323, 379, 324, 307, 504/34 of Indian Penal Code.

The allegation of the informant is that the petitioner herein along with her husband armed with rod and sharp cutting weapon assaulted Nagendra Mahato and others. It is the further allegation of the informant that Dinesh Mahato was in a drunken condition and had abused the informant side as well as had assaulted them.

The learned counsel for the petitioner submits that the petitioner was pregnant at the time of incident, as has been stated in



para 11 of the petition as such, it was not expected of her to commit the alleged occurrence. It is further submitted that the main accused is Dinesh Mahato, husband of the petitioner and he is the person who had assaulted the informant side hence, the wife should be enlarged on anticipatory bail. It is further submitted that the petitioner has a clean antecedent.

Having regard to the facts and circumstances of the case and the fact that admittedly, the husband of the petitioner is the main accused and is the person responsible for assault, I deem it fit and appropriate to enlarge the petitioner, in the event of her arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Muzaffarpur in connection with Kathaiya PS case no. 50 of 2016 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J.)

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