

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31767 of 2018

Arising Out of PS.Case No. -309 Year- 2017 Thana -GOGRI District- KHAGARIA

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Anwari Khatoon, Wife of Md. Muslim, Resident of Village- Gera,
Muskipur, Ward No. 10, P.S.- Gogri, District- Khagariya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 12-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks bail in connection with Gogri
P.S. Case No. 309 of 2017 registered for the offence punishable
under section 302 of the Indian Penal Code.

The allegation, as per FIR, is that on quarrel between
the children of informant and petitioner, this petitioner and her
family members armed with lathi and iron rod came at the place of
informant and assaulted his son aged about 15 years. When the
wife and daughter of informant came to rescue the victim, the
accused persons also assaulted them. The allegation against this
petitioner is that she assaulted the victim by iron rod on his head.

It has been submitted that both the parties are



agnates. The occurrence took place for the quarrel between the children of informant and petitioner. There was no intention to commit murder of the deceased. The other co-accused has already been allowed anticipatory bail by this Court on 06.03.2018 in Cr. Misc. No.4568 of 2018. The petitioner is lady having no allegation and so she deserves to be enlarged on bail.

The learned Additional Public Prosecutor, on the other hand opposed, the submission.

On perusal of FIR and the statement of witnesses mentioned in case diary, I find that there is specific allegation against this petitioner that she assaulted the son of informant by iron rod on his head. The doctor has reported fracture in both parietal and right temporal bone of the deceased.

Considering the specific allegation of assault by this petitioner causing grievous injury resulting death of deceased, I am not inclined to grant her bail. Her bail prayer stands rejected.

The court below is directed to expedite the trial.

(Sanjay Kumar, J)

Mahesh/-

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