

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51682 of 2018

Arising Out of PS.Case No. -188 Year- 2016 Thana -LAUKHI District- MADHUBANI

- =====
1. Jibachhi Devi, W/o Ramchandra Thakur,
 2. Ramchandra Thakur @ Ram Charitra Thakur, S/o Bauku Thakur.
Both are R/o Vill.- Laukahi, P.S.- Laukahi, District- Madhuani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 20-09-2018

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in Laukahi P.S. Case
No. 188 of 2016 dated 24.10.2016 instituted under Sections
341/323/324/342/307/347/379/354/504 and 506/34 of the Indian
Penal Code.

3. The allegation against the petitioners, who are
daughter and son-in-law of the informant is of assault and taking
thumb impression on blank paper.

4. Learned counsel for the petitioners submitted that the
petitioner no. 1 is the daughter of the informant and had married the
petitioner no. 2 against the desire of her family due to which she was



kidnapped by her family members and had to file police case bearing Laukahi P.S. Case No. 166 of 2016 dated 22.09.2016 for offences under Sections 363/366(A) and 34 of the Indian Penal Code. It was submitted that the present case is a counter case to pressurize the petitioners for not pressing the case filed by the petitioner no. 1. Learned counsel submitted that even the so called injury has been found to be simple by the doctor as it is only a small incised skin deep wound over right side of forehead and diffused tenderness and swelling over right lower leg. It was submitted that the petitioners are married and living happily. Further, learned counsel submitted that it cannot be believed that the petitioner no. 1, who is the daughter, would assault her mother in the manner in which it has been described in the F.I.R.

5. Learned A.P.P. submitted that there is specific allegation of assault against the petitioners.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Jhanjharpur District-Madhubani in Laukahi P.S. Case No. 188



of 2016, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J)

P. Kumar

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