

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2086 of 2018

Arising Out of PS. Case No.-367 Year-2017 Thana- HARSIDHI District- East Champaran

Laxmina Devi, Wife of Hiranman Sahani, Resident of Village-Singhaha Malahi
Tola, P.S.-Harsidhi, District-East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. MITHILESH KUMAR KHARE

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-01-2018 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 447, 323, 324, 307, 379 and 504/34 of the IPC.

The prosecution case, as per the written report of Champa Devi submitted to the Station House Officer, Harsidhi Police Station is to the effect that on 17.09.2017 at about 5 PM, the informant was sitting at her door, in the meantime, the FIR named accused persons including the petitioner came and started abusing and assaulted the informant with fists and slaps. It is specifically alleged that the petitioner Laxminia Devi assaulted with farsa causing cut injury on the head of the informant and when the husband of the informant, Bhikham Sahani and daughter-in-law, Rinki Devi came to rescue her, they



were also assaulted. Co-accused Hiranman Sahani snatched mangalsutra from the neck of Rinki Devi.

It is submitted by learned counsel for the petitioner that the accusation has been levelled in the background of admitted land dispute. The informant and others killed the father-in-law of the informant leading to registration of Harsidhi P.S. Case No. 366 of 2017, with accusation under Section 302/34 of the IPC on 18.09.2017 by the husband of the petitioner, Hiranman Sahani, wherein the informant is accused no.5. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that there is specific accusation of assault against the petitioner.

Considering the fact that the case lodged by the petitioner is at earlier point of time and the petitioner being a lady having no criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Harsidhi P.S. Case



No. 367 of 2017, subject to the condition as laid down under
Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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