

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30583 of 2018

Arising Out of PS. Case No.-180 Year-2016 Thana- LAUKHI District- Madhubani

Pabita Devi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-05-2018

Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 341,323,324,307,354,448,379 and 380/34 of the IPC.

The prosecution case got initiated with the written report of Kusmi Devi dated 16.10.2016 submitted before the SHO, Laukahi to the effect that on 27.9.2016 there was hot exchange of words with the sister-in-law Pramila Devi, in the meantime, Pramila Devi's husband, namely, Yashodhar Yadav came and on the direction of his wife he brought Farsa and assaulted the daughter of the informant, Sangeeta, who came to rescue, causing an injury on her head. On the order of Yashodhar Yadav, the other sister-in-laws Laxmi Devi, Pramila Devi and the petitioner Pabita Devi entered into the house and started taking



out a box which was objected by the informant, upon which assaulted with knife causing a cut injury on the head of the informant. Laxmi Devi snatched the gold chain and all the three accused persons assaulted the informant with lathi. When a relative of the informant, namely, Bikan Yadav came to rescue then he was also assaulted with Farsa by Yashodhar Yadav.

It is submitted by learned counsel for the petitioner that for the occurrence of 27.9.2016 the written report was submitted on 16.10.2016. There is specific accusation that initially the informant was assaulted by Yashodhar Yadav, thereafter the petitioner caused knife injury on the head whereafter the three accused persons namely Laxmi Devi, Pramila and the petitioner assaulted with lathi, but the impugned order suggests only two injuries, one of them on the head, which has been found to be incised in nature. Admittedly, the accusation has been levelled in the background of land dispute. Statement has been made in paragraph 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 delayed lodging of the case, the petitioner being a lady and the accusation being levelled in the



background of land dispute, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM III, Jhanjharpur (Madhubani) in connection with Laukahi P.S. Case No.180 of 2016 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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