

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12608 of 2019

Arising Out of PS. Case No.-129 Year-2018 Thana- NAANPUR District- Sitamarhi

Sunita Devi @ Sunila Devi Wife of Sanjay Sahni Resident of Village -
Bokhara Tole, Baghkhan, P.S.- Nanpur, Distt - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Adv. Mr. Ashok Kumar Jha Ms. Preety Kunwar
For the Opposite Party/s	:	Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 21-08-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Nanpur Police Station Case No. 129 of 2018, disclosing offences under Sections 341/323/324/307/354/447/448/504/506/34 of the Indian Penal Code.

The allegation against the petitioner is that the petitioner, along with other accused person, assaulted the informant by means of lathi.

Learned Senior Counsel for the petitioner submits that both the parties are relative inasmuch as the informant is the brother of accused no. 1. He further submits that there is case and counter case inasmuch as the husband of the petitioner, i.e.



accused no. 1, has lodged Nanpur Police Station Case No. 130 of 2018 for the incident alleged to have taken place on the same day and time. He further submits that from paragraph 45 of the case diary, it would be evident that the informant has received simple injury on his head.

On the other hand, learned Additional Public Prosecutor, referring to the case diary, submits that as per the injury discussed in the case diary, the informant has received simple injuries.

After having heard learned Counsel for the parties and taking into consideration the fact that both the parties are related, there is case and counter case, the injuries caused to the informant are simple in nature and the petitioner is a lady , I am inclined to grant the petitioner privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioner, Sunita Devi @ Sunila Devi in the event of her arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Nanpur Police Station Case No. 129 of 2018, subject to the condition laid down under Section



438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the Court on two consecutive occasions, hier bail bond shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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