

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20898 of 2019

Arising Out of PS. Case No.-317 Year-2018 Thana- BARARI District- Katihar

MEERA DEVI @ NIRA DEVI W/O Srikant Sah, Resident of Village-
Laxmipur, P.S.- Barari, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 23-05-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends her arrest in connection
with Barari P.S. Case No.317 of 2018 registered under Sections
341, 324, 302, 307 and 120B/34 of the Indian Penal Code.

The accusation is that Hiralal Sah, the husband of the
informant Pinki Devi, was going to Barari Haat from his house
with 'Thela'. In the way, at P.C.C. Road, Srikant Sah, the
brother-in-law of the informant, his son Sunny Sah and wife
Meera Devi (petitioner) stopped the 'Thela' of the husband of
the informant. Thereafter, the informant and her sons Bunty
Kumar and Vijay Kumar Sah rushed there. In the meantime,
Srikant Sah, his son Sunny Sah and wife Meera Devi



(petitioner) caused injury at the neck and shoulder of the husband of the informant through sickle. Srikant Sah caused injury through sickle below the knee of Banti Kumar, the son of the informant. While Hiralal Sah, the husband of the informant, was being taken to Sadar Hospital, Katihar, for treatment but he died in the way, whereas Banti Kumar, the son of the informant, was taken to Referral Hospital, Barari, for treatment.

Learned counsel for the petitioner submits that while the allegation has been made against the petitioner, her husband Srikant Sah and son Sunny Sah to cause injury at the neck and shoulder of Hiralal Sah, the husband of the informant, through sickle but only two injuries, one on the neck and another near elbow of her husband, were found. The petitioner being the wife of the co-accused Srikant Sah has falsely been implicated in this case. Moreover, Srikant Sah and Sunny Sah, the husband and son of the petitioner, are already in custody. In fact, Sunny Sah, the son of the informant, was of unsound mind and he was assaulted by the husband of the informant regarding which on the basis of the fardbeyan of Srikant Sah, the husband of the petitioner, Barari P.S. Case No.319 of 2018 under Sections 341, 323, 324 and 307/34 of the Indian Penal Code was instituted against the informant, her husband Hiralal Sah and her son



Banty Sah. The petitioner being lady has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender by her within six weeks from today, be enlarged on bail on her furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-V, Katihar, in connection with Barari P.S. Case No.317 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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