

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42634 of 2019

Arising Out of PS. Case No.-349 Year-2018 Thana- PAHARPUR District- East Champaran

DHUNI DEVI @ BIBHAWATI DEVI Wife of Birendra Sah Resident of
Village- Saraiya Tola Mathiya, P.S.- Malahi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 10-07-2019 Heard both sides.

The petitioner apprehends her arrest in Paharpur (Malahi) P.S. case No. 349 of 2018 registered under Section 307 and other minor Sections of the IPC.

The informant named the petitioner along with other accused persons and alleged that Virendra Sah @ Gandhi assaulted his mother with iron rod on her head. When his sister-in-law came to save, Harendra Sah assaulted her with Garasi on her head. The only allegation against the petitioner is that she snatched Mangalsutra from the neck of sister-in-law of the informant.

The learned counsel for the petitioner submits that there is counter version being Paharpur (Malahi) P.S. case No. 352 of 2018. The petitioner is informant of the case. There is no



allegation of assault against the petitioner. Sugi Devi, mother of informant, and other injured got simple injuries. On account of land dispute the occurrence took place in which both sides lodged case against each other.

Taking into consideration the facts aforesaid and the fact that there is no allegation of assault against the petitioner, who is a lady, the petitioner, above named, in the event of her arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Paharpur (Malahi) P.S. case No. 349 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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