

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48020 of 2019

Arising Out of PS. Case No.-105 Year-2019 Thana- MAJHAULIA District- West Champaran

Manbhari Devi, W/O Himachal Chaubey, Resident of Village- Lal Saraiya,
P.S.- Majhauriya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 307, 436, and 379/34 of the Indian Penal Code. Subsequently, Section 302 IPC was also added.

The prosecution case as per the written report of Rajgrih Chaubey submitted to the Station House Officer of Majhauriya Police Station is to the effect that on 21.03.2019 at 9.00 A.M. the 11 accused persons came and assaulted the informant. Co-accused Triloki Chaubey assaulted on the head of Dhananjay Dubey with Bhala causing bleeding injury, co-accused Ajit Chaubey assaulted to Chuman Chaubey on his head with Dabiya causing bleeding injury, co-accused Shakshi



Kumari dragged the wife of the informant, Manju Devi and co-accused Shyam Bihari, Saheb and Tapu Nath Choubey assaulted her with rod and lathi causing bleeding injury, co-accused Shyam Bihari also caught hold of the informant and took out Rs.30,000/- from his pocket and when the informant went to hospital, co-accused Chaturbhuj Chaubey and petitioner Manbhari Devi set, the hutment of the informant, on fire.

It is submitted by learned counsel for the petitioner that the accusation of assault has not been levelled against the petitioner and the hutment in question is neither dwelling house nor belong to the informant. It is further submitted that there is a counter version of the occurrence being Majhaulia P.S. Case No. 108 of 2019 registered for the offences punishable under Sections 341, 323, 324, 435, 354 and 379/34 of the Indian Penal Code and a 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 setting the hutment of the informant on fire.

Considering the fact that the accusation of assault has not been levelled against the petitioner and petitioner being a lady, let the above named petitioner be released on anticipatory bail in the event of arrest or 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 the like amount each to the satisfaction of learned
Chief Judicial Magistrate, Bettiah, West Champaran in
connection with Majhaulia P.S. Case No. 105 of 2019, subject to
the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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