

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78253 of 2019

Arising Out of PS. Case No.-138 Year-2019 Thana- THARTHARI District- Nalanda

1. Soshila Devi @ Shusila Devi (F), aged about 58 years, Wife of Late Ram Sharan Prasad, Resident of Village- Kariawan, P.S.- Tharthari, District- Nalanda.
2. Beby Devi @ Rina Devi (F), aged about 27 years, D/o Late Ram Sharan Prasad, Resident of Village- Kariawan, P.S.- Tharthari, District- Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Lovekush Kumar, Advocate.
For the Opposite Party	:	Mrs.Rina Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-12-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 341, 323, 307, 448, 354, 379 and 504/34 of the IPC. Later on, Section 302 of the IPC was also added.

The prosecution story, in brief, is that on 03.09.2019 at about 5.00 P.M. in the evening, the informant and his wife Urmila Devi were coming their house after cutting grass and when they reached near the *Khalihan* of Amirak and Kameshwar Paswan, co-accused Rajnish Kumar, Indu Bhushan Kumar, Sachin Kumar @ Dukhran and Pintu Kumar assaulted



the informant and his wife with Lathi and rod due to which, both sustained injuries and co-accused Rajnish Kumar also assaulted with rod due to which, informant received injuries in his soldier and forehead. Petitioners Soshila Devi and Baby Devi also assaulted the wife of the informant with leg and fist. When the informant and his wife became unconscious then they fled away. Accused persons snatched ear ring and Mangal Sutra of the wife of the informant. The motive of the occurrence is that one one Mahesh Kumar entered into the house of the informant and outrage the modesty of the daughter of the informant. It is further said that the co-accused Pramod Kumar was also assaulted the informant.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Petitioners are ladies. The main allegation of assault is against co-accused Rajnish Kumar who is said to have assaulted the deceased which led to death of the deceased. Petitioners are said to have assaulted the wife of the informant. There is case and counter case between the parties. Injuries on the accused side has not been explained by the



prosecution. Earlier the case was instituted for the offence under Section 307 and other allied Sections of the IPC. Later on, Section 302 of the IPC was also added.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances and the fact that the petitioners are ladies, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Hilsa, in connection with Tharthari P.S. Case No. 138 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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