

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8952 of 2020

Arising Out of PS. Case No.-168 Year-2019 Thana- GAYA KOTWALI District- Gaya

ASHA DEVI @ ASHA KUMARI @ ASHA Wife of Nitin @ Nitin Kumar @
Monu Resident of Mohalla - G.B. Road, Lovely Market, Infront of Lal
Medical Hall, Gaya, P.S.- Kotwali, Distt - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-03-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends her arrest in connection with
Kotwali P.S. Case No. 168 of 2019 for the offence registered under
Sections 385, 506, 504, 341, 323 and 379/34 of the Indian Penal
Code and Sections 3/4 of Dayan Act.

The allegation is regarding the petitioner along with
her husband having engaged in torturing her mother-in-law and
father-in-law on account of non-fulfillment of their demand for
money whereupon altercation is stated to have taken place and the
petitioner along with her husband are stated to have assaulted her
mother-in-law and father-in-law as also are stated to have taken
away a sum of Rs. 4,000/-.

The learned counsel for the petitioner submits that the
petitioner is innocent, she has been falsely implicated in the



present case and is having a fair antecedent except one case in which she is on bail, which has been lodged by her mother-in-law. It is submitted that the petitioner is in fact being tortured by her mother-in-law and father-in-law. It is further submitted that there is no injury report on record to show that any assault was made by the petitioner herein.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioner, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of her arrest/surrender before the court below within a period of four weeks from today, 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, Gaya in connection with Kotwali P.S. Case No. 168 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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