

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11658 of 2020

Arising Out of PS. Case No.-36 Year-2019 Thana- SHYAMPUR BHATHA District- Sheohar

Sarda Devi D/o Dinesh Mahto Resident of Village - Lalgah Tole Par, P.S.-
Shyampur Bhatha, Dist.- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 01-07-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner apprehends her arrest in Shyampur
Bhatha P.S. Case No. 36 of 2019 registered for the offence
under Sections 147, 148, 149, 307, 323, 341, 504 & 302 of the
Indian Penal Code.

In the F.I.R., the informant has alleged that on
03-04-2019, all the accused persons, named in the F.I.R.
including petitioner, came at her house and started abusing &
assaulting her. It is further alleged that when her husband and
brother-in-law came to save her, the accused persons also
assaulted them and they received injury. Later on, in course of
treatment, Ganesh Sahani (brother-in-law of informant) died.

It is submitted on behalf of petitioner that petitioner is



a lady and she has committed no offence. In fact, the scuffle took place between male members of both sides, but with an ulterior motive, the petitioner has falsely been implicated in this case. It is further submitted that similarly situated co-accused Lal Jhari Devi has already been granted anticipatory bail by a coordinate Bench of this Court, vide order dated 03-02-2020 passed in Cr.Misc. No. 78349 of 2019 (Annexure – 3 to the petition). The petitioner has clean antecedent.

Considering the aforesaid facts and circumstances, the bail application is allowed.

In the event of arrest or surrender within a period of six weeks from today, let the above-named petitioner be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Sheohar in connection with Shyampur Bhatha P.S. Case No. 36 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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