

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 16210 of 2020

Arising Out of PS. Case No.-36 Year-2020 Thana- MADHAURAH District- Saran

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1. Rajeshwar Singh Son of Shiv Lokan Singh Resident of Village- Nautan, P.S.- Marhowrah, District- Saran (Chapra).
 2. Punam Devi Wife of Rabindra Singh Resident of Village- Nautan, P.S.- Marhowrah, District- Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 04-09-2020 At the outset, it was informed by learned counsel for the petitioners that during pendency of this bail application, petitioner no. 1 has been arrested, and as such, the bail application, so far as petitioner no. 1 is concerned, has become infructuous.

In view of aforesaid fact, the anticipatory bail application, so far as petitioner no. 1 is concerned, stands dismissed as same has become infructuous.

Heard the parties through video conferencing.

The petitioner no. 2 apprehends her arrest in Marhowrah P.S. Case No. 36 of 2020 registered for the offence under Section 307 & other allied sections of the I.P.C.



In the F.I.R., the informant has alleged that since his firewood (जलावन) was stolen, he was abusing without taking name of anyone, in the meantime, petitioner no. 2 alongwith others, as named in the FIR, came and started assaulting him with iron rod, *lathi* and *labda*, as a result of which, he got injured.

It is submitted on behalf of petitioner that there is general and omnibus allegation and specific allegation of assault is against other co-accused. There is case and counter case between the parties and both sides are agnates. It is further submitted that as per injury report (Annexure - 2), three injuries have been found on the person of informant, out of which, two have found to be simple in nature and only one injury was found to be grievous in nature, which was caused by co-accused Rabindra Singh. Petitioner (i.e. petitioner no. 2) 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 eight weeks from the date of receipt/production of copy of this order, 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
Chief Judicial Magistrate, Chapra, District - Saran in connection
with Marhowrah P.S. Case No. 36 of 2020, subject to condition
as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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