

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 23806 of 2020

Arising Out of PS. Case No.-440 Year-2019 Thana- TAJPUR District- Samastipur

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DHANWANTI DEVI, aged about 40 years (Female), wife of Nanipat Ray @
Nanipat Rai, Resident of Village – Raghunathpur, Police Station – Tajpur
(Halai), District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Pramod Kumar Singh, Advocate
For the Opposite Party/s : Mr Kr Ranjit Ranjan, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 09-10-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner apprehends her arrest in connection with Tajpur (Halai) Police Station (for brevity, PS) Case No 440 of 2019 dated 28.11.2019 instituted for the offence punishable under Section (s) 147, 148, 149, 302, 323, 341, 342, 447, 448,



504, 508 of Indian Penal Code.

While the informant was sitting at the door of his house, it is alleged that the petitioner along with other co-accused, variously armed, have assaulted the informant and the family members.

Petitioner's counsel submits that the dispute is between the two families and on account of such dispute, all family members, including the petitioner, who happens to be female member, have been implicated in this case. No specific assault is attributed to the petitioner and she bears no criminal antecedent.

Learned APP for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, prayer of petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the Court below, within four (04) weeks from today, she shall be released on bail on her furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Samastipur in Tajpur (Halai) PS Case No 440 of 2019 subject to the conditions as laid down under Section 438 (2) of Criminal



Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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