

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24950 of 2020

Arising Out of PS. Case No.-38 Year-2019 Thana- PARSA District- Saran

PUTUL DEVI, aged about 30 years (Female), Wife of Harendra Manjhi,
Resident of Village- Bhujauna, Police Station- Parsa, District- Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Krishna Kumar Singh, Advocate.
For the Opposite Party : Mr. Braj Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-10-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending her arrest in a case for
the offences registered under Sections 447, 341, 323, 324, 307,
379, 504, 506/34 of the I.P.C. Later on, Section 302 of the I.P.C.
was also added.

The prosecution case, in short, is that on 13.02.2019



at about 7.00 P.M., the informant Mishri Manjhi was at his door in the meantime, co-accused Harendra Manjhi and Bachchu Manjhi came there and started abusing him and when he protested then they started assaulting him by *Lathi* and *Danda* due to which, he sustained injury on his head. On hulla, when his son, namely, Dharamnath Manjhi came to rescue him, then co-accused Bachchu Manjhi gave *Lathi* blow on the head of Dharamanath Manjhi causing head injury and co-accused Harendra Manjhi took out cash of Rs. 2500/- from his pocket. The occurrence has taken place due to old enmity.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. She has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against her. The petitioner is not named in the F.I.R. Initially, this case was instituted for the offence under Section 307 and other allied sections of the I.P.C. but later on, after death of the deceased, Section 302 of the I.P.C. was also added. The informant of this case is the deceased himself. He did not name this petitioner. Later on, for oblique reason, the family members of the deceased, named this petitioner in the present case due to previous enmity as to when the deceased had named two persons, namely, Harendra Manjhi



and Bachchu Manjhi in the F.I.R. but he did not name this petitioner.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IInd, Chapra, in connection with Parsa P.S. Case No. 38 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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