

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38291 of 2020

Arising Out of PS. Case No.-83 Year-2020 Thana- SAHIYARA District- Sitamarhi

SUMITRA DEVI D/o Ram Ekwil Mahto, Resident of Village- Maudah, P.S. -
Sahiyara, Dist. - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 22-10-2021 This case has been heard *via* video conferencing.

Learned counsel for the petitioner is directed to remove
the defects as pointed out by the office within four weeks.

In this case, the petitioner apprehends her arrest in
connection with Sahiyara P.S. Case No. 83 of 2020 registered
for the offences punishable under sections 341, 323, 379, 504/34
of the Indian Penal Code.

As per allegation, co-accused Baghirath Mahto
inflicted *Farsa* blow on the head of the victim and co-accused
Avadh Kumar inflicted *Garasa* blow on the head of Baliram
Mahto with intention to kill him. The allegation against this
petitioner is that she inflicted repeated *Khurpi* blow on the body
of the informant.



Learned counsel for the petitioner has submitted that there is case and counter case and the case of accused side is earlier to the present case. He has also submitted that two incised wound were found on the head of the injured Baliram Mahto. Although they were grievous in nature, but those injuries cannot be attributed to the present petitioner since there is no allegation of assaulting against the petitioner on the head of the informant.

Learned APP has opposed the prayer for bail.

Considering the fact that the petitioner is a lady and the allegation of inflicting injuries on the head of the informant is not attributed against the petitioner, she, in the event of her arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-V, Sitamarhi in connection with Sahiyara P.S. Case No. 83 of 2020, subject to condition as laid down under section 438(2) Cr. P.C.

(Nawneet Kumar Pandey , J)

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