

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40931 of 2020

Arising Out of PS. Case No.-235 Year-2020 Thana- BARHARIA District- Siwan

CHHATHIYA DEVI w/o Jitendra Yadav R/o Vill.- Paharpur, P.S.- Barharia,
Distt.- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-11-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Barharia PS case no. 235 of 2020 registered
for the offences punishable under Sections 307 and other allied
sections of Indian Penal Code.

The allegation is regarding the accused persons
having assaulted the informant and his family members
resulting in serious injury having been caused in the stomach of
Doma Yadav i.e. the informant of this case. As far as the
petitioner is concerned, she is alleged to have abused the
informant and others.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, has been falsely



implicated in the present case and is having a clean antecedent. It is further submitted that there is no allegation of any sort of overt act *qua* the petitioner and she has not been alleged to have assaulted either the informant or his family members and the only allegation levelled against the petitioner is that she has abused the mother of the informant.

Per contra, the learned APP for the State has vehemently opposed the prayer of bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, this Court finds that *prima facie*, there is no allegation of any sort of overt act *qua* the petitioner herein and she has merely been alleged to have abused the mother of the informant and moreover, the petitioner is having a clean antecedent, hence, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of her arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Siwan in



connection with Barharia PS case no. 235 of 2020 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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