

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39539 of 2020

Arising Out of PS. Case No.-265 Year-2020 Thana- DARIYAPUR District- Saran

Basanti Devi, W/o Bharat Singh, R/o Village- Samaspura, P.S.- Dariyapur,
District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Satya Prakash, Advocate
For the S t a t e	:	Mr.Akhileshwar Dayal, APP
For the Informant	:	Mr. Tej Pratap Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-02-2021 Heard learned counsel for the petitioner and the learned APP for the State as well as the learned counsel for the informant.

The petitioner seeks bail in connection with Dariyapur P.S. Case No.265 of 2020 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 302, 504, 506 of the Indian Penal Code.

35 named along with 10-15 unnamed persons have come with various arms and assaulted the prosecution party.

Counsel for the petitioner submits that prior to the alleged occurrence on 05.08.2020, the instant petitioner had already lodged Dariyapur P.S. Case No.263 of 2020 on 04.08.2020, wherein she has alleged an assault by the



prosecution parties in the process of forcibly taking away certain lands. The instant case is a counterblast to Dariyapur P.S. Case No.263 of 2020. The petitioner is a female member of the accused family and without any specific assault being attributed against her, her name has been mentioned along with others, leading to her custody since 07.08.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-13th, Saran at Chapra, in connection with Dariyapur P.S. Case No.265 of 2020, subject to 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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