

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40614 of 2020

Arising Out of PS. Case No.-8 Year-2020 Thana- HARSIDHI District- East Champaran

INDU DEVI WIFE OF BIJALI SINGH RESIDENT OF VILLAGE -
BARIYADIH, P.S. - HARSIDHI, DISTRICT - EAST CHAMPARAN,
MOTIHARI.

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr. Sharda Nand Mishra, Advocate.
For the State	:	Mr. Anil Kumar, A.P.P.
For the Informant	:	Mr. Pramod Kumar Pandey, Advocate.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 29-07-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 26/27.12.2020, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State as also the learned counsel for the informant, through Video Conferencing.

The petitioner apprehends her arrest in connection with Harsidhi P.S. Case No.08 of 2020 registered under Sections 147, 148, 149, 343, 323, 324, 307, 302, 504 and 506 of the Indian Penal Code.



The accusation is that on 03.01.2020, Kedar Singh came at the door of the informant Rajnish Kumar and made complaint to the informant about damaging of Banana crop by his buffalo, then the informant made protest saying that his buffalo had not gone there. Thereafter, Kedar Singh started to abuse and his other family members including the petitioner having lathi, Fatta, rod and farsa in their hands came and started to abuse and cause assault to the family of the informant. At that time, Adalat Singh, the grandfather of the informant, was also assaulted, due to which he fell down and became unconscious. On hearing Hullah, the villagers rushed there and pacified the matter. The grandfather of the informant was rushed for treatment at Government Hospital Harsidhi from where he was referred to Sadar Hospital Motihari, from where he was referred to Muzaffarpur, where he died in the night of 04.01.2020 in course of treatment.

Learned counsel for the petitioner submits that the petitioner is lady. In fact, the occurrence of “Maar-Peet” took place between the male members of the family of the petitioner and the informant but with an ulterior motive, the petitioner, who is the wife of the co-accused Bijali Singh, has falsely been implicated in this case. Further submission is that in the post-



mortem examination of the deceased, only one injury was found on his head, which is said to be caused by hard and blunt substance. Further submission is that the co-accused Bijali Singh and Arjun Singh have already been granted the privilege of pre-arrest bail by a Bench of this Court vide order dated 19.02.2021 passed in Criminal Misc. No.29730 of 2020.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender by her within six weeks from today, be enlarged on bail on her furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran, Motihari in connection with Harsidhi P.S. Case No.08 of 2020, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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