

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3804 of 2021

Arising Out of PS. Case No.-206 Year-2020 Thana- SANDESH District- Bhojpur

GUNJA DEVI W/o Mithilesh Singh Resident of Village - Thirthkaul, P.S.-
Sandesh, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aditya Narayan Singh.1- Advocate
For the Informant	:	Ms. Aprajita- Advocate
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 30-07-2021 Heard Mr. Aditya Narayan Singh-1, the learned Advocate for the petitioner, Ms. Aprajita, the learned Advocate for the informant and Mr. Ram Priya Sharan Singh, the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Sandesh P. S. Case No.206 of 2020, instituted for the offences under Sections 147, 148, 149, 448, 341, 323, 325, 324, 326, 307, 354, 380, 504 and 506 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that she has unnecessarily been made accused in this case along with other male persons of the family. The parties have been on the litigating terms from before and therefore such an accusation



has been levelled.

The petitioner is alleged to have attempted to strangle the wife of the informant. There is no corresponding injury on the wife of the informant and therefore the learned Advocate for the petitioner has urged that her implication is only for the purpose of wreaking vengeance on all the members of her family.

As opposed to the aforesaid contention, the learned Advocate for the informant has pointed out that the petitioner has not made correct statement in paragraph-3 of the bail petition. She was made accused in two other cases also about which no reference has been made in the bail petition.

In response to the aforesaid submission, it has submitted that because of mis-communication, this could not be pointed out. However, the two cases were filed for family dispute.

Be that as it may, the learned Advocate for the petitioner has not been able to refute the contention of the informant that the petitioner has been declared an absconder.

Regard being had to the fact that the petitioner has become an absconder, I am not inclined to grant anticipatory bail to her.



The prayer for anticipatory bail of the petitioner is rejected.

However, if the petitioner surrenders before the Court below and seeks bail, the Court below shall consider the case on its own merits, without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

(Ashutosh Kumar, J)

vikash/-

U		T	
---	--	---	--

