

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14930 of 2021

Arising Out of PS. Case No.-440 Year-2019 Thana- TAJPUR District- Samastipur

PAVITRI DEVI Wife of Ravi Ray Resident of Village - Raghunathpur, Police station - Tajpur (Halai), District - Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Pramod Kumar Singh, Advocate
For the State	:	Smt.Renu Kumari, APP
For the informant	:	Mr.Ram Ishwar Chandra, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-01-2022 Due to the third wave of COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant through virtual mode.

Learned Counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

The petitioner is apprehending her arrest in connection with Tajpur (Halai) P.S. case No.440 of 2019 registered under Sections 147, 148, 149, 341, 342, 323, 302,



447, 448, 504, 506 of the Indian Penal Code, pending in the court of A.C.J.M.-I, Samastipur.

Prosecution case, in short, is that the accused persons including the petitioner armed with lathi, danda and iron rod came at the door of the informant and abused and assaulted the informant and when his father came to save, co-accused Raushan Kumar pushed him and co-accused Baidyanath Rai rided upon chest and started to press his neck. In the meantime, the petitioner assaulted his father with iron rod causing injury on his neck and his father died on the spot.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. As per the F.I.R., it is the petitioner, who assaulted the deceased. Subsequently in course of investigation, in paragraph Nos.8 and 10 of the case diary the witnesses have stated that as the petitioner pushed the deceased, he fell on a bamboo karchi and because of that he sustained injury and succumbed to death. The petitioner is a lady.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. There is specific allegation of assault alleged against the



petitioner and subsequently in course of investigation the witness in paragraph 18 of the case diary has also stated that the petitioner assaulted the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

If the petitioner surrenders before the court below and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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