

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17215 of 2021

Arising Out of PS. Case No.-52 Year-2020 Thana- DHANARUA District- Patna

SAROJA DEVI Wife of Ranjeet Prasad Resident of Village - Chotki Math,
P.S.- Dhanarua, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Chandra, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-01-2022 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 and learned
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks after restoration of normalcy.

The petitioner is apprehending her arrest in a case
registered under Sections 302 and 120(B) of the Indian Penal
Code.

The prosecution allegation, in short, is that on trivial
issue, the accused persons came to the house of the informant



and assaulted the informant. One of the co-accused assaulted the husband of informant with lathi due to which he succumbed to the injury.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is a lady who is alleged to have assaulted the informant with fist and slap. No deadly weapon is said to have been used by her in course of assault made upon the informant. In the present case, the deceased is the husband of the informant who is alleged to have been assaulted by one co-accused Ranjeet Prasad who gave a *lathi* blow on the head of the deceased. There is no allegation of assault being made by the petitioner upon the deceased.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

It is necessary to indicate here that this Court while considering the prayer made in the present anticipatory bail application has taken note of the exponential rise in number of covid cases due to outbreak of third wave of Covid-19 pandemic. Further this Court can also not lose sight of the fact



that the condition of jails is not conducive and suitable to the present situation which has arisen due to the sudden rise in covid cases.

For the purpose of bail, considering the fact that the petitioner is a lady and there is no allegation of assault alleged against her upon the deceased, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on her personal bonds to the satisfaction of learned S.D.J.M., Masaurhi at Patna in connection with Dhanarua P.S. Case No. 52/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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