

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6523 of 2022

Arising Out of PS. Case No.-398 Year-2021 Thana- RAXAUL District- East Champaran

CHANDA DEVI, W/o Kanhaiya Baitha R/o Vill- Siswa, P.S.- Raxaul, Dist-
E. Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 06-07-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Raxaul
P.S. Case No. 398 of 2021, registered for the offences
punishable under Sections 341, 323, 324, 326, 307/34 of
I.P.C.

As per allegation, the petitioner and her associates
assaulted the informant with sharp edged *Garansi* on his
head.

The learned counsel for the petitioner submits that
the petitioner is innocent and she has falsely implicated in
this case on account of family dispute because informant and



accused belong to one and same family. He further submits that the allegation is not supported by the Injury Report. As per the allegation, the victim has been assaulted by *Garansi*, a sharp edged weapon, whereas the injury report shows that there is only laceration which is not possible by such weapon. He further submits that the petitioner is a lady and lactating mother having one year child with her in the jail.

The petitioner is in custody since 03.10.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Hon'ble Court for grant of anticipatory bail or regular bail.

It has further been stated that the petitioner has no criminal antecedent.

However, the learned APP for the State has opposed the prayer for bail.

Considering the facts and circumstances, the petitioner, above-named, is directed to be released on bail on her furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Raxual at Motihari,



East Champaran in connection with Raxual P.S. Case No. 398 of 2021 on the following conditions:

(i) The petitioner will make herself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of her absence or non-cooperation. She must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing her and getting satisfied that the petitioner has concealed his criminal antecedent despite her knowledge of the same.

(v) In case, it is brought to the notice of the court



below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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