

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19013 of 2022

Arising Out of PS. Case No.-573 Year-2021 Thana- TURKAULIYA District- East
Champaran

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ASHA DEVI WIFE OF MAHESH SAH RESIDENT OF VILLAGE-
HARDIYA, POLICE STATION- TURKAULIYA (RAGHUNATHPUR O.P.),
DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Pandey, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-09-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner apprehends her arrest in a case registered
for the offences punishable under Sections 323, 341, 324, 354, 307,
504, 506 and 34 of the Indian Penal Code.

The informant alleges that on 07.07.2021, on account of
land dispute, the accused persons including the petitioner came
variously armed and were trying to encroach her land and when she
protested, they attacked and assaulted her, it is next alleged that
Dinesh Sah assaulted her by sword causing injury on her head,
Dhanesh Sah assaulted her with an iron rod causing another injury on
head and thereafter Munna and Rohit tore her cloth and rest of the
accused assaulted her.

Learned counsel for the petitioner submits that the
petitioner is a woman and has antecedent of one case in which she is



on bail, it is next submitted that petitioner has been falsely implicated in the present case, as she is related to the accused persons. Learned counsel next submits that the date of occurrence is 07.07.2021 and the FIR was instituted on 18.07.2021 i.e., after a delay of 11 days without any plausible explanation, it is also submitted that parties are agnates and are having land dispute and from perusal of Annexure-2, it would manifest that the injuries suffered by the informant are simple in nature.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Turkauliya P.S. Case No. 573 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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