

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28992 of 2021

Arising Out of PS. Case No.-231 Year-2020 Thana- NAUTAN District- West Champaran

1. MALA DEVI W/o Lal Babu Prasad R/o village- Jamuniya, P.S.- Jagdishpur, District- West Champaran
2. Ms. Bhagiya Devi @ Bhagiya Devi W/o Late Ramchandra Prasad R/o village- Jamuniya, P.S.- Jagdishpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Adv

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-07-2022 Heard learned counsel for the petitioners and learned APP
for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

After some arguments, learned counsel for the petitioner no.1 seeks permission to withdraw this application.

Permission is granted.

Accordingly, the instant application for petitioner no.1 is dismissed as withdrawn.

However, petitioner no.1 is directed to surrender before



the learned Court below and seek regular bail and the learned Court below would pass the order, preferably, on the same day, in accordance with law.

Now, this application is being heard with regard to petitioner no.2 only.

Petitioner no.2 apprehends her arrest in connection with a case registered for the offence punishable u/s 341, 323, 325, 504, 307 of the Indian Penal.

Allegedly, the petitioner with another co-accused threw hot water on the two years old grand-daughter of the informant, due to which she sustained injuries. The petitioner also assaulted and abused the informant's side.

Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. Petitioner has been falsely implicated in this case at the instance of her enemies. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. No such occurrence has taken place but in the background of old dispute in between the parties, the present case has been filed. There is no specific overt act against the petitioner. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.



Considering the aforesaid facts and circumstances, let the petitioner named above, in the event of her arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Nautan (Jagdishpur) P.S Case No.231 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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