

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30371 of 2021

Arising Out of PS. Case No.-365 Year-2020 Thana- GAIGHAT District- Muzaffarpur

SOHAWAN DEVI W/o Lal Babu Sah Resident of Village - Janta Dih, P.S.-
Gaighat, Distt. - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, Adv.

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-01-2022 Heard the parties through virtual court proceedings.

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 time, office will place the matter before the Bench.

The petitioner apprehends her arrest in a case in connection with Gaighat P.S. Case No.365 of 2020, corresponding to G.R. No.4831/2020, registered for the offence punishable under Sections 341, 323, 324, 307, 379 and 504/34 of the Indian Penal Code.

The allegation against the petitioner is that she along with other FIR named accused persons abused the informant and on the instruction of this petitioner, other accused assaulted the informant by means of 'Dab', which resulted in head and hand



injury.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. She has been falsely implicated in this case due to village politics. No such occurrence as alleged has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Only allegation against the petitioner is that she is the order giver but the co-accused persons have assaulted the informant. There is an inordinate delay of 19 days in filing the FIR, as the occurrence took place on 21.10.2020 but the FIR was lodged on 12.11.2020 and no proper explanation has been given by the informant regarding such delay in lodging the FIR, which creates doubt about the prosecution case. Petitioner has no criminal antecedent, as also mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond 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 Gaighat P.S. Case No.365/2020 corresponding to G.R. No.4831/2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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