

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28823 of 2022

Arising Out of PS. Case No.-25 Year-2022 Thana- GADHPURA District- Begusarai

Sandhya Kumari, Wife of Awdhesh Kumar Gupta, R/O- Village- Salauna
Bakhri P.S.- Bakhri, District- Begusarai Present working as Panchayat Rojgar
Sewak Mouji Hari Singh, Panchayat/Block- Garhpura, District- Begusarai
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Ashok Kumar Singh, APP
For the Informant	:	Mr. Arya Achint, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-07-2022 Today this case has been listed out of turn on the
motion slip filed by the learned counsel for the petitioner.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, within a
period of four weeks from today.

Heard Mr. Ranjan Kumar Jha, learned counsel for the
petitioner, Mr. Arya Achint, learned counsel for the informant
and the learned APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Gadhpura P.S. Case No. 25 of 2022 registered
for the offences punishable under Sections 341, 323, 307, 324,
326 of the Indian Penal Code.

As per prosecution case, it is alleged that the
petitioner, who was a Panchayat Rojgar Sewak of Mouji Hari



Singh Panchayat found involved in certain irregularities and in course of inspection, an enquiry was conducted by the informant in connection with complaints made by some people of the Panchayat. The informant collected some photographs, documents etc. relating to the enquiry in her mobile phone. On 11.03.2022, the petitioner entered into the office and tried to take away the mobile phone of the informant and muster roll kept on her table and when the same was resisted, the informant was assaulted with sharp cutting weapon due to which her index finger of the right hand has been amputated.

It is submitted by the learned counsel appearing on behalf of the petitioner that there is a counter version of the present case, being Gadhpura P.S. Case No. 26 of 2022 registered by the petitioner herself and moreover prior to the institution of the F.I.R., the petitioner has been regularly making complaint against the conduct of the informant as to how she has been regularly harassed at the hands of the informant. It is next submitted that after institution of the present case, she had already subjected to departmental proceeding, resulting into termination of her services and as such the petitioner has already punished adequately. It is lastly submitted that the petitioner being a lady is in custody since 12.03.2022 and the investigation



of the crime is already completed and the charge-sheet has been submitted.

On the other hand, learned counsel for the informant vehemently opposed the bail application and submits that the petitioner does not deserve the privilege of bail, as she being lady has assaulted another lady and amputated her index finger, which is found to be grievous in nature. It is next submitted that in fact the informant has been regularly making complaint against the petitioner and on account of the aforesaid reason in a per-meditated plan she has assaulted the informant.

Learned APP for the State also opposes the bail application of the petitioner.

Having considered the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is already departmentally proceeded and has been removed from the service, apart from the fact that the petitioner being a lady is in custody since 12.03.2022 and moreover she is having two small babies, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Begusarai in connection with Gadhpura P.S. Case No. 25 of



2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) She will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(Harish Kumar, J)

uday/-

U			
---	--	--	--

