

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29199 of 2022

Arising Out of PS. Case No.-172 Year-2021 Thana- KURTHA District- Jehanabad

SUNITA DEVI W/o Subhashchandra Bos R/o village- Kurtha Bela, P.S.-
Kurtha, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhaneshwar Vashist, Advocate
For the Opposite Party/s	:	Mr. Ram Anurag Singh, APP
For the Informant	:	Mr. Purushotam Sharma, Advocate
		Mr. Urmila Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-09-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 147, 148, 323, 324, 308, 379 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that he along with his family members were constructing grain yard in his land when the accused persons, including the petitioner, armed with deadly weapon came, it is next alleged that Purusottam Kumar assaulted by butt of pistol on head of Baliram Kumar Nirala, Triloki Nath Rai assaulted by means of iron khanti on his head, as a result of which he sustained head



injuries, thereafter the petitioner assaulted by pasuli on his left leg causing injury, thereafter Awadhesh Yadav assaulted by means of khanti on the head of Vikash Kumar causing injury and thereafter the accused persons assaulted, as detailed in the FIR.

Learned counsel for the petitioner submits that from bare perusal of allegation as alleged in the FIR, it would manifest that informant had tried to implicate falsely the entire family members, it is next submitted that it absolutely does not stand to reason that how it was possible for the informant to allege in the FIR with such precision and certainty that as to which accused by which weapon caused injury to which of the injured, this in itself demonstrates that the allegation has been made by way of afterthought, it is also submitted no doubt injury has taken place, but then the injuries are simple in nature, it is also submitted that petitioner is a female and she has been implicated merely because she is a family member of the accused person.

Learned A.P.P. for the State and the learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner, but are not able to meet the submissions of the learned counsel for the petitioner that the injury is simple and



how is it possible for the informant to allege with such certainty and precision that as to which accused assaulted by which weapon and to which of the injured.

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 Kurtha P.S. Case No. 172 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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