

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61173 of 2021

Arising Out of PS. Case No.-266 Year-2020 Thana- SUPAUL District- Supaul

Asha Devi W/o Ram Sewak Kamat Resident of Mohalla- Balwa Punarwars,
Ward No. 15, P.S.- Supaul, District- Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kanchan Kumar Singh

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-07-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends her arrest in Supaul P.S.
Case No. 266 of 2020, registered for the offences punishable
under Section 302 and other allied sections of the Indian Penal
Code and section 27 of the Arms Act.

As per the FIR, all the ten FIR named accused persons
including this petitioner and some unknown persons assaulted
the brother of informant with lathi, danda and rod, as a result of
which he sustained severe head injury.

It is submitted that no specific overt act has been
attributed against this petitioner and petitioner is only alleged to
be the member of mob. Allegation of assault is general and
omnibus. The police after investigation had not found the



involvement of this petitioner in the present case, as such submitted chargesheet against male members excluding the female, but differing with the same the court below took cognizance under Section 302 and other allied sections of the Indian Penal Code. Petitioner is lady having no criminal antecedent.

Considering the facts aforesaid, the petitioner above-named, in the event of her arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S. Case No. 266 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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