

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62745 of 2021

Arising Out of PS. Case No.-130 Year-2020 Thana- BHELDI District- Saran

MAYA DEVI Wife of Kauleshwar Singh @ Kaleshwar Sah R/O Village -
Samastpura, P.S.- Bheldi, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr. Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-07-2022 Heard learned counsel for the parties.

The petitioner apprehends her arrest in a case registered for the offence under Section 307 & other allied sections of the Indian Penal Code.

As per the prosecution case, on 10.11.2019 at about 11:24 AM, when the informant alongwith his wife were sitting at their door, all the F.I.R. named accused including this petitioner came and started abusing them and on protest, they caused injury with Daab on the head of wife of informant. It is further alleged that when daughter-in-law of informant came to intervene, then co-accused Sanjiv Kumar caught hold of her arm and tore her cloths. In the meantime, the accused persons also caused injury on the head of informant.

It is submitted on behalf of petitioner that as per F.I.R. itself, there is land dispute between the parties and present case



is counter blast of Bheldi P.S. Case No. 338 of 2019. There is general and omnibus allegation of assault and no specific allegation of overt act has been alleged against this petitioner. It is further submitted that present case has been lodged after a lapse of eight months without there being any plausible explanation of delay. Petitioner is lady, having no criminal antecedent.

Learned A.P.P. for the State has opposed the bail petition.

Considering the delayed lodging of the F.I.R. and the fact that there is case & counter case, let the above named petitioner, in the event of her arrest/surrender within a period of six weeks from today, 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 learned A.C.J.M. - XII, Saran at Chapra in connection with Bheldi P.S. Case No. 130 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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