

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64278 of 2021

Arising Out of PS. Case No.-298 Year-2021 Thana- JOGAPATTI District- West Champaran

Shobha Devi W/o- Satrudhan Upadhyay R/o Village - Pakdihar, P.S. -
Sanichari, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwajeet Kumar Mishra

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-05-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends her arrest in Jogapatti
(Sanichari) P.S. Case No. 298 of 2021, registered for the
offences punishable under Sections 307, 354(B) and other allied
sections of the Indian Penal Code.

Prosecution case in brief is that on the alleged date
and time of occurrence, all the FIR named accused persons
including this petitioner armed with weapon assaulted the son of
informant over his head due to which he sustained head injury.
When other sons of informant came to rescue him they were
also assaulted by the accused persons.

It is submitted that petitioner has been falsely
implicated in this case. The doctor has found the injuries



sustained by sons of informant Vikash and Prakash to be simple in nature, but injury caused to third son Prabhat to be grievous. So far as, this petitioner is concerned, there is general and omnibus allegation. Both parties are *Gotiya* and due to land dispute the alleged occurrence took place. Petitioner is a lady and she claims clean 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, Bettiah, West Champaran in connection with Jogapatti (Sanichari) P.S. Case No. 298 of 2021, 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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