

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13758 of 2023

Arising Out of PS. Case No.-203 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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ANJANI DEVI W/O ANIL RAM R/o mohalla- Lane Before C M S School,
Adampur, P.S.- Jogsar, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gyanendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd., APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-05-2023 Heard learned counsel appearing on behalf of the

parties.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

The accused/petitioner is named in the F.I.R. and
apprehend his arrest in connection with Kotwali (Jogsar) P.S.
Case No. 203 of 2022 registered for the offences punishable
under Sections 341, 323, 308 and 504/34 of the Indian Penal
Code.

The allegation against the petitioner is to assault
informant and others along with other co-accused persons, by
means of iron rod, causing bodily injuries, suggesting their act,
which may likely to cause death, where, occurrence is arises out



of land dispute.

Learned counsel appearing on behalf of the petitioner submitted that occurrence is free fight in nature, where, both parties have received injuries and as such it can not be said that parties were under intention, as to suggest that their acts are likely to cause death of informant and others. It is submitted that for the same set of occurrence petitioner also lodged a case bearing Kotwali P.S. Case 204 of 2022. It is also submitted that nature of injury received, during course of occurrence, is simple in nature and admittedly a case bearing Title Suit No.175 of 2019 is pending between the parties. While concluding the argument, it is submitted that petitioner is a lady of clean antecedent.

Learned APP for the State, opposes the prayer of bail.

Considering the aforesaid facts and circumstances of the case, as occurrence is free fight in nature, where, petitioner is a lady of clean antecedent, accordingly above named petitioner, in the event of her arrest or surrender before learned court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhagalpur /concerned Court,



where the case is pending in connection with Kotwali (Jogsar)
P.S. Case No. 203 of 2022, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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