

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19460 of 2023

Arising Out of PS. Case No.-49 Year-2019 Thana- SHRI NAGAR District- Madhepura

Paribi Devi W/o Jawahar Jha Resident of Village- Belasaddi, Ward No.- 03,
P.S.- Shrinagar, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 13-06-2023 Heard Mr. Sharda Nand Mishra, learned counsel for
the petitioner and learned APP for the State.

The Petitioner is apprehending her arrest in connection with Shrinagar P.S. Case No.49 of 2019, registered for the offences punishable under Sections 341, 323, 324, 307, 354 (B), 379, 506, 34 of the Indian Penal Code.

It is alleged that all the accused persons armed with *Farsa*, *Lathy* and iron-rod came to the house of the informant and started abusing. On exhortation made by co-accused Ramesh Jha @ Jilebi, co-accused Jawahar jha assaulted the informant by means of *Farsa*. Allegation against the petitioner is of snatching the earring of the informant.

Learned counsel appearing on behalf of the petitioner



submits that save and except an ornamental allegation there is no allegation of assault against the petitioner, who happens to be a lady having fair antecedent. He further submits that the police after investigation submitted final form showing the petitioner as innocent and not sent up for trial, however, the learned lower court differing with the final form took cognizance for the offences as alleged in the FIR. He further submits that the petitioner gives undertaking that she will fully cooperate in the investigation and the trial and will not indulge in tempering of evidence and intimidating of witness.

On the other hand learned APP for the State vehemently opposes the bail application and submits that the learned court below after differing with final form has taken cognizance for the offences as alleged in the FIR.

Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is a lady and the police after investigation found her innocent, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial



Magistrate- Ist Class, Madhepura in connection with Shrinagar
P.S. Case No.49 of 2019, subject to the condition as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Harish Kumar, J)

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