

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18810 of 2023

Arising Out of PS. Case No.-304 Year-2022 Thana- NAUTAN District- West Champaran

Baudhi Devi @ Vaudi Devi W/O Shivnath Yadav R/O Village- South
Tellhuwa Braham Tola Ward No. 01, P.S- Nautan, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Raj, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-06-2023 Heard Mr. Avinash Raj, learned Counsel appearing
on behalf of the petitioner and Mr. Dinesh Singh, learned
A.P.P. appearing on behalf of the State.

2. The petitioner seeks pre-arrest bail in connection with Nautan P.S. Case No. 304 of 2022 for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 302 and 504 of the Indian Penal Code.

3. The prosecution story, in brief, is that while the informant was standing near the fodder *nad*, the accused persons named in the F.I.R including the petitioner brutally assaulted on the head of the son of the informant by means of *farsa*, as a result of which, the son of the informant died



during the course of treatment.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is a lady and only allegation against her is that she provided *lathi/danda* while the allegation is of assaulting by means of *farsa*. Petitioner has clean antecedent. He further submits that no specific allegation of assault has been made against the petitioner.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of allegation made in the F.I.R. against the petitioner as well as the fact that no allegation of assault has been made against the petitioner and the specific allegation of causing head injury is on other co-accused named in the F.I.R, the petitioner, above named, who is a female having no criminal antecedent is directed to be released on anticipatory 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) each with two sureties of the like amount each, to the satisfaction of learned Sub-



Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Nautan Police Station Case No. 304 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The present bail application, accordingly, stands disposed of.

(Purnendu Singh, J)

Mantreshwar
Nilmani

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