

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24535 of 2023

Arising Out of PS. Case No.-548 Year-2022 Thana- KESARIA District- East Champaran

JAIMALA DEVI, WIFE OF SHASHI BHUSHAN PRASAD, Resident of
Village- Gavandri, P.S.- Kesariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar, Advocate
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
APP for the State of Bihar.

The petitioner is apprehending her arrest in connection with Keshariya P.S. Case No. 548 of 2022 registered for offence under Sections 341, 323, 325, 307, 354B, 504, 379, 506 and 34 of Indian Penal Code.

As per prosecution case, on the alleged date and time of occurrence, while the informant along with her husband was at her door, the accused persons including petitioner came and started abusing. When the informant and her husband opposed, all the accused persons including petitioner assaulted the informant and her family members.

It is submitted by learned counsel for the petitioner that the petitioner is a lady and she is suffering with 40 per cent



disability. It is further submitted that specific accusation of assault is against co-accused Jagannath Prasad and Ramsanehi Prasad. So far as petitioner is concerned, there is general and omnibus allegation. There is a case and counter case. Petitioner also has clean antecedents. Co-accused have been allowed bail in *Cr. Misc. No. 23342 of 2023*.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, general and omnibus nature of allegations against the petitioner, as well as her clean antecedents, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

Petitioner's prayer for anticipatory bail is allowed.

Accordingly, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of four weeks from today, be released 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, East Champaran, in connection with Keshariya P.S. Case No. 548 of 2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:



- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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