

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27493 of 2022

Arising Out of PS. Case No.-203 Year-2021 Thana- PARSABAZAR District- Patna

SHOBHA DEVI Wife of Shailendra Singh Resident of Village - Madarna,
P.S. - Vaishali, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Rabi Bhushan Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 28-02-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The Petitioner is apprehending her arrest in a case registered for the offences punishable u/s 341, 323, 302 and 504 read with Section 34 of the Indian Penal Code.

As per the prosecution case, the petitioner and the co-accused persons started assaulting the father of the informant. During that course, the informant's father sustained head injury and he became unconscious and fell down on the ground.



Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The petitioner is a lady. The post mortem report also indicates that the deceased sustained four injuries out of which injury No. 1, 2 and 3 was abrasion on eye brow corner, knee and elbow and injury no. 4 is swelling on the parietal area of scalp, though cause of death is head injury. Similarly situated co-accused has been granted bail by this Court vide order dated 27.02.2023 passed in Cr. Misc. No. 25980 of 2022. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State as well as the learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that this case is not fit for anticipatory bail as similarly situated co-accused has been granted regular bail by the Co-ordinate Bench vide order dated 17.05.2022 passed in Cr. Misc. No. 68608 of 2021.

Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, let the above named petitioner, in the event of her arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/-



(Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Patna in connection with Parsa Bazar P.S. Case No. 203 of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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