

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31751 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- RAFIGANJ District- Aurangabad

MUNNI DEVI WIFE OF ARVIND YADAV VILLAGE KUNWAR BIGHA,
P.S. RAFIGANJ, DISTRICT AURANGABAD, BIHAR.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in connection with Rafiganj P.S. Case No. 44/2023 registered for the offences punishable under Sections 341, 323, 307, 379/34 of the Indian Penal Code.

3. As per prosecution case, petitioner and others are alleged to have assaulted the informant by lathi, danda and belt. It is alleged that when his wife and father came to save him then they also assaulted them. It is further alleged that accused persons have snatched golden Jitiya from neck of informant's wife and also took away Rs.50,000/- from his house.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged



in the FIR and he has falsely been implicated in this case. Petitioner is lady and she bears no criminal antecedent. Both parties are Gotiya and there is land dispute between them. He further submits that there is case and counter case between the parties on the same date of occurrence as mentioned in Annexure-P/2 of the bail petition. There is no specific overtact against the petitioner and allegation is general and omnibus in nature. He further submits that there is neither any eye witness nor any independent witness who has supported the prosecution story.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, Bihar in connection with Rafiganj P.S.



Case No. 44/2023, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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