

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35241 of 2023

Arising Out of PS. Case No.-33 Year-2023 Thana- MADHAURAH District- Saran

Shushila Devi W/O Tuntun Rai R/O Village- Asaiyan, P.S- Marhowrah,
Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rananjay Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Marhowrah P.S. Case No. 33 of 2023 registered on 22.01.2023 for the alleged offences under Sections 147, 149, 341, 323, 324, 307 and 506/34 of the Indian Penal Code.

3. As per prosecution case, in the background of some land dispute, the petitioner and other co-accused persons assaulted the informant and his family members with iron angle and *dab* causing injuries to them.

4. Learned counsel for the petitioner submits that petitioner is a lady and she has been falsely implicated in this case. The petitioner has lodged Marhowrah P.S. case no. 34/2023 against the informant and others, in which the



petitioner and others have sustained injuries. The present case is a counter blast. The petitioner was arrested when she went to lodge her case. After assaulting the petitioner and his family members, some of the accused persons of the case lodged by the petitioner tried to flee away on two motor cycles but they collided at a breaker on the road resulting in a number of injuries to them and taking advantage of this fact, the petitioners and others were falsely implicated in this case. The petitioner and informant side are agnates and one Title Suit bearing No. 31/2014 is also pending in against them apart from case P 20/2023 under Section 144 and 107 Cr.P.C. The petitioner is in custody since 23.01.2023 and charge-sheet has been submitted.

5. Learned APP opposes the prayer for bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter-case between the parties and also considering the period of custody and submission of charge-sheet against the petitioner who is a lady, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at



Chhapra/court concerned in connection with Marhowrah P.S.
Case No. 33 of 2023, subject to the conditions mentioned in
Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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