

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40206 of 2023

Arising Out of PS. Case No.-26 Year-2021 Thana- UPHARA District- Aurangabad

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AASHA DEVI @ ASHA DEVI WIFE OF RAM VINAY SHARMA R/O
Mahesh Parasi, PO. Gorkatti, PS. UPhara, Dist. Aurangabad, Bihar-824203

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv.

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-07-2023 Heard Mr. Ravi Ranjan, learned counsel appearing on

behalf of the petitioner and Mr. Arvind Kumar Pandey, learned

A.P.P. for the State.

2. The petitioner apprehend her arrest in connection
with Uphara P.S. Case No. 26 of 2021, dated 01.06.2021,
registered under Sections 147, 149, 341, 323, 324, 325, 307,
379, 448 and 504 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 31.05.2021
at around 10:30 p.m. while the informant along with his family
members were taking dinner then the named accused persons
entered into his house. Ram Vinod Sigh and Ramadhar Sharma
caught hold the son of the petitioner when Asha Devi assaulted
him on his head by Fasuli (a sharp edged weapon), thereafter, it
is alleged that the accused persons also assaulted the informant



and his family members.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is an old age lady and allegation as alleged against her is not sustainable. There is case and counter case between the parties. The petitioner has clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation made against the petitioner, the petitioner being aged about 70 years, there is case and counter case between the parties and both the parties have sustained injury, general and omnibus allegations have been made against the petitioner, let the above named petitioner, be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Daudnagar, Aurangabad in connection with Uphara P.S. Case No. 26 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The Court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner



is involved in some other cases as what has been stated in paragraph no. 3 of the bail application, this order will automatically loose its force.

(Purnendu Singh, J)

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