

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40755 of 2023

Arising Out of PS. Case No.-594 Year-2022 Thana- SHAHPUR PATORI District- Samastipur

Sima Devi Wife Of Satrugan Jha Resident Of Village - Bandee Dhrampur
Ward No 11 Ps-Patory , Dist- Samastipur Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends her arrest in connection
with Patory P.S. Case No. 594 of 2022 registered for the
offences punishable under Sections 147, 148, 149, 341, 323,
325, 302, 504, 506 and 120(B) of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that her husband had purchased a land from the
petitioner, but five days after purchasing the land, the brother-in-
law of the petitioner constructed a hut over the land, as such a
dispute arose thereafter a measurement of the land was done by
the Government Amin and pillar was put to demarcate the land
but the accused persons removed the pillar, it is next alleged that



on 14.12.2022, the accused persons assaulted her husband by *khanti* and brick causing injury and when she went to save him, she was also assaulted, it is next alleged that her husband died on the way to hospital.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that from perusal of the allegations as alleged in the FIR it would manifest that the husband of the informant had purchased the land in question from the petitioner and the same was objected by her elder brother-in-law on account of which there was a dispute, it is also submitted that it absolutely does not stand to reason that as to why the petitioner would have indulged in the occurrence when she had already sold the land to the husband of the informant. It is further submitted that no doubt an altercation took place in which the husband of the informant was assaulted by the side of the prosecution but then petitioner being related to the accused persons came to be implicated with no specific allegation.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the



event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Patory P.S. Case No. 594 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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