

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47402 of 2023

Arising Out of PS. Case No.-34 Year-2020 Thana- BANKA District- Banka

Ruby Devi @ Ruby Kumari, aged about 30 years (Female), wife of Brahmdev Yadav, resident of Village- Chorakol, PS- Banka, Dist. Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Banka PS Case No.34 of 2020 dated 13.01.2020, instituted under Sections 147, 323, 324, 379, 307, 504 of the Indian Penal Code.

3. The prosecution case, in short, is that on the date of occurrence the informant went to his field to see his potato crops and found the petitioners and others were uprooting his potato crops. When the informant asked them not to do this then the accused persons abused him and co-accused, Titu Yadav assaulted him with axe over his head and other accused persons assaulted him with *lathi* and *danda*. When the uncle of the informant came to save him, he was also assaulted by means of



iron rod.

4. Learned counsel for the petitioner submits that there is general and omnibus allegation against the petitioner. Nothing specific has been attributed against the petitioner. Specific allegation of assault by means of axe is against Titu Yadav. It is further submitted that the petitioner is a lady having clean antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka, in Banka PS Case No. 34 of 2020, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Khatim Reza, J)

J. Alam/-

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