

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52809 of 2023

Arising Out of PS. Case No.-306 Year-2022 Thana- DAUDNAGAR District- Aurangabad

Sita Devi, Wife of Munna Singh, Resident of Village Sinduar, P.S. Daudnagar,
District Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-08-2023 Heard Mr. Bachan Jee Ojha, learned counsel

appearing on behalf of the petitioner and the learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends her arrest in connection
with Daudnagar P.S. Case No. 306 of 2022, registered for the
offences punishable under Sections 341, 323, 307, 379 and
504/34 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons,
including the petitioner, barged into the house of the informant
and brutally assaulted the informant and his family members. It
is also alleged that the petitioner gave a rod blow to the wife of
the informant over her head due to which she sustained serious
injury.

4. Learned counsel appearing on behalf of the



petitioner submits from the FIR, evidently the occurrence took place on 26.05.2022 but the present FIR has instituted on 07.06.2022 without assigning any reason of delay. He next submitted that though allegedly the petitioner gave a rod blow, but surprisingly the same has neither been discussed by the learned Court below nor any injury report has been found on the record. He next submits that both the informant and the husband of the petitioner are full brother and the occurrence arisen on account of quarrel among the children. That apart, the petitioner is a lady, having fair antecedent.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the FIR and the relationship between the petitioner and the informant, coupled with the nature of accusation, let the petitioner above named be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Daudnagar,



Aurangabad in connection with Daudnagar P.S. Case No. 306 of 2022, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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