

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52648 of 2023

Arising Out of PS. Case No.-287 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Smita Kumari @ SMITA Devi Wife Of Kumar Raja, R/O Village
-JITWARPUR Nizamat Ward No 19, P.S.- Samastipur Muffasil, Distt-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No.2, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-08-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending her arrest in connection with Samastipur Muffasil P. S. Case No. 287 of 2023 registered on 30.05.2023 for the offences punishable under Sections 341, 323, 324, 504 and 307/34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against 7 named accused persons in which dispute has arisen due to sale deed which took place on 26.12.2022 in which problem arisen due to non-payment of rest amount of Rs.75,000/- as alleged. It has been alleged that informant visited to the house of the accused persons and started demanding his

money, upon which the petitioner's family started threatening him and scuffling took place between both the families. The specific allegation against the petitioner is to teeth bite in the left thumb of informant.

4. Learned counsel for the petitioner submits that from the FIR, it transpires that the dispute between the parties is due to land. Counsel for the petitioner also submits that for the same date and place of occurrence there is a case and counter case from both the sides i.e. Samastipur Muffasil P.S. Case No.287 of 2023 and Samastipur Muffasil P.S. Case No.286 of 2023 filed by the informant and the petitioner's side respectively. Counsel further submits that neither the petitioner nor the accused persons are criminals and the antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail.

6. In the aforesaid facts and circumstances, let the above-named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within 6 weeks from today, on furnishing bail bond of Rs. 30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial

Magistrate Ist Class, Samastipur in connection with Samastipur
Muffasil P.S. Case No. 287 of 2023, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C..

(Dr. Anshuman, J.)

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