

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53194 of 2023

Arising Out of PS. Case No.-314 Year-2023 Thana- KAUWAKOL District- Nawada

1. Basanti Devi wife of Late Kuldeep Yadav Village- Lohsinghani Ps- Kawakole Dist- Nawada
2. Lachcho Devi @ Laxminiya Devi wife of Rakesh Yadav Village- Lohsinghani Ps- Kawakole Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Kawakole P.S. Case No. 314 of 2023, registered on 23.05.2023 for the offences under Sections 147, 341, 323, 354, 379, 307, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, petitioners and other co-accused persons assaulted the informant and his family members in the background of land dispute.

4. Learned counsel for the petitioners submits that the petitioners are ladies and they have been falsely implicated in



this case due to land dispute and previous enmity. No specific overt act has been attributed to the petitioners and allegations are general and omnibus. There is case and counter-case between the parties and husband of Petitioner No. 2, co-accused Rakesh Yadav has lodged a case bearing Kawakole PS Case No. 315/2023 under Sections 147, 341, 323, 307, 504, 506/34 IPC against the informant and his family members for an occurrence which took place prior to the occurrence stated by the informant in his written report. The informant's side is assailant and they stopped the construction of the house of the petitioners. Though injury on the informant is said to be grievous, but the same is not attributed to the petitioners. Injuries received by other persons are simple in nature. There is no explanation for the injuries received by the persons from the petitioners' side.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioners are ladies and there is no specific allegation of assault against them, let the petitioners above named, in the event of their arrest or surrender before the court concerned



within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Nawada/concerned court in connection with Kawakole P.S. Case No. 314 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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