

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53109 of 2022**

Arising Out of PS. Case No.-149 Year-2022 Thana- AKBARPUR District- Nawada

1. RESHMI DEVI WIFE OF RAM NANDAN THAKUR @ RAM NANDAN KUMAR R/O VILLAGE- SRIRAMPUR, P.S.- AKBARPUR IN THE DISTRICT OF NAWADA
2. MAHESH PRASAD @ BIRENDRA PRASAD SON OF BHATU MAHTO R/O VILLAGE- SRIRAMPUR, P.S.- AKBARPUR IN THE DISTRICT OF NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr. J. N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY**

ORAL ORDER

2      30-01-2023              The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the State.

At the very outset, the learned counsel for the petitioners has submitted that during the pendency of this criminal miscellaneous petition, petitioner no. 2 has been arrested, as such, this criminal miscellaneous petition has become infructuous with respect to him. He therefore, seeks permission to withdraw this petition with respect to him.



In view of above submission, this criminal miscellaneous petition is dismissed as withdrawn with respect to petitioner no. 2.

So far as **petitioner no. 1 is concerned**, she apprehends her arrest in connection with Akbarpur P.S. Case No. 149 of 2022 registered for offence punishable under sections 147, 148, 149, 341, 323, 325, 307, 504, 506 and 379 of the Indian Penal Code.

As per allegation, eight named accused persons including the petitioners, started harvesting wheat crops standing on the land of the informant. On protest, they badly assaulted and abused her. They also assaulted her son, Ranjit Kumar. The specific allegation on co-accused, Shiv Balak Prasad is that he assaulted Ranjit Kumar with *Garasa* on his head and other accused have also assaulted him.

The learned counsel for the appellants has submitted that petitioner no. 1 is a lady. She is innocent and has falsely been implicated in this case. The specific allegation to assault the son of the informant is on co-accused, Shiv Balak Prasad.

On the other hand, the learned APP has submitted that all the accused persons assaulted the informant and her son Ranjit Kumar, who sustained grievous injuries.



Considering the fact that the petitioner no. 1 is a lady and the allegations are general and omnibus against her, **let petitioner no. 1**, in the event of her arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Akbarpur P.S. Case No. 149 of 2022, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

**(Nawneet Kumar Pandey, J)**

Mahesh/-

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