

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55463 of 2022**

Arising Out of PS. Case No.-404 Year-2021 Thana- JAMUI District- Jamui

Minakshi Kumari, Wife of Ravi Kumar, R/V- Maharajganj, P.S- Jamui, Dist-  
Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                              |
|----------------------|---|--------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Gagandeo Yadav, Advocate.<br>Mr. Ravi Prakash, Advocate. |
| For the State        | : | Mr. Anil Kumar Singh No. 1, APP.                             |
| For the Informant    | : | Mr. Anwar Karim, Advocate.                                   |

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

3      17-03-2023                      Heard Mr. Gagandeo Yadav, learned counsel assisted by Mr. Ravi Prakash, learned counsel appearing on behalf of the petitioner; Mr. Anil Kumar Singh No.1, learned APP for the State and Mr. Anwar Karim, learned counsel for the informant.

2. The petitioner seeks pre-arrest bail in connection with Jamui P.S. Case No. 404 of 2021 registered for the offence punishable under Sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code.

3. Prosecution story, in brief, is that the petitioner used to use filthy language and had inflicted grievous injury on the private part of the informant. Petitioner and informant are their own family members.

4. Learned counsel appearing on behalf of the



petitioner submitted that the informant was not having good relationship with the petitioner and her husband who is running a medical shop which fall in their share as would appear from Panchnama (Annexure-2) . Petitioner admitted the fact that the informant has sustained injury, however, such assault cannot be expected from the petitioner who is a woman. Petitioner is a pious lady and has all regards to elders. Learned counsel further informed this Court that he has received instruction that the petitioner is ready to compensate the informant by meeting all the expenses which he has incurred in his treatment even though the petitioner is not at fault.

5. Learned counsel appearing on behalf of the informant submitted that the petitioner has brutally injured the informant who is the elder brother of her husband and injury report supports the allegation. The Doctor who has examined the informant had found several injuries and swelling in the private part and opined that the injuries are of grievous nature. On these grounds, he opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

7. Having heard the rival submissions of the parties,



the allegations made in the F.I.R. and the pleadings made in the counter affidavit filed on behalf of the informant, it appears to this Court that there was quarrel in the family after the alleged partition held in the year 2021. The Panchnama has been brought by the opposite party no.2 by way of Annexure-2, certain objectionable photographs have also been annexed along with the counter affidavit which admittedly appears to this Court to be beyond dignity of any dignified person. The conduct of the informant is also not acceptable.

8. As the petitioner has admitted to bear all the medical expenses, prima facie, the petitioner appears to have made out a case to be granted pre-arrest bail.

9. Court below is directed to enlarge the petitioner on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Jamui in connection with Jamui P.S. Case No. 404 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C., with further condition that in case opposite party no.2 (informant) desires to accept the medical expenses incurred by him in his treatment and if the receipt to that effect is



produced before the court below by the informant, the petitioner is required to make payment of the expenses based on the genuine receipts.

10. Accordingly, the bail application stands disposed of.

**(Purnendu Singh, J)**

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