

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 57783 of 2022

Arising Out of PS. Case No.-509 Year-2020 Thana- MASHRAK District- Saran

SARITA DEVI, w/o Daulat Manjhi, Resident of Village - Padmoul, P.S.-
Mashrakh, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate,
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH
ORAL ORDER

4 27-02-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending her arrest in connection
with Mashrakh P. S. Case No. 509 of 2020 registered for the
offences punishable under Sections 341, 302, 504 and 506 read
with Section 34 of the Indian Penal Code.

As per the prosecution case, the brother of the
informant was assaulted by the co-accused Daulat Manjhi and
the petitioner. It is further alleged that the co-accused sat on the
chest of the informant's brother and the co-accused Daulat
Manjhi and the petitioner assaulted him with fists and leg due to



which the brother of the informant sustained injury on temporal region as well as jaw was fractured. It has further been alleged that firstly he got his brother treated locally and after some time on 13.09.2020, the injured was taken to Patna for treatment where he succumbed to the injuries on 19.09.2020.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. No such occurrence as alleged has ever taken place. It is evident from the F.I.R. that the alleged occurrence took place on 29.08.2020 whereas the F.I.R. was lodged on 19.09.2020 and in this regard no plausible explanation has been given by the prosecution. Learned counsel further submitted that as per post-mortem report, no external injury was found on the body of the deceased. The specific allegation has been leveled against co-accused Daulat Manjhi, who has already been granted bail by co-ordinate Bench of this Court vide order dated 26.08.2022 passed in Cr. Misc. No. 27262 of 2022. The petitioner who is a lady has no criminal antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail petition of the petitioner.

Considering the aforesaid facts and circumstances, let



the above named petitioner, in the event of her arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned, Saran at Chapra in connection with Mashrakh P. S. Case No. 509 of 2020, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

shakir/-

U		T	
---	--	---	--

