

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59093 of 2022

Arising Out of PS. Case No.-26 Year-2022 Thana- RAXAUL District- East Champaran

Shanti Devi W/o Suresh Prasad R/v- Raxaul, P.S.- Raxaul, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Singh, Advocate

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-04-2023 Heard learned counsel for the parties.

2. Petitioner is apprehending her arrest in connection with Raxaul P.S.Case No.26 of 2022, registered for offences punishable under Sections 147, 148, 149, 341, 323, 325, 307, 379 and 504 of the Indian Penal Code.

3. Allegation against the petitioner is that the petitioner has assaulted on the hand of one Azaz Siddiqui, causing injury to him.

4. Learned counsel appearing on behalf of the petitioner submits that the injury, which has been sustained by Azaz Siddiqui is not on the vital part of the body. Admittedly, both the parties had entered into fierce fight and the petitioner to save her life in defence may have inflicted injury to the victim.

5. Learned APP has vehemently opposed the prayer



for bail grant of anticipatory bail to the petitioner.

6. Considering the nature of allegation made in the FIR as well as the fact that both the parties assaulted each other and in course of the same, the petitioner in her self-defence without intention had assaulted on the hand of one Azaz Siddiqui. The court below is directed to release the petitioner on anticipatory bail, in the event of her arrest or surrender before the learned 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 Sub Divisional Judicial Magistrate, Raxaul, District Motihari in connection with Raxaul P.S. Case No.26/2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically loose its force.

8. Accordingly, this bail application is allowed.

(Purnendu Singh, J)

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