

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63617 of 2022**

Arising Out of PS. Case No.-339 Year-2022 Thana- BAHERA District- Darbhanga

JHALAKI DEVI Wife of Madan Chaudhary Resident of village -
Makarampur, P.S.- Ramauli, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Kumar Pathak
For the Opposite Party/s : Mr.Suman Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-01-2023 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 a case
registered for the offences punishable u/s 341, 323, 307, 379,
504 read with 34 of the Indian Penal Code.

As per the prosecution case, the allegation against the
petitioner is that she brought a sword from her house and
handed it over to her husband, who assaulted the informant with
the said sword causing head injury.

Learned counsel for the petitioner has submitted that



the petitioner has falsely been implicated in this case. There is a case and counter case between the parties. The petitioner is a house wife and there is no chance of absconding or tampering with the evidence. No case under Section 307 of the Indian Penal Code is made out against the petitioner. The injury of the injured is simple in nature. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

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

Considering the aforesaid facts and circumstances of the case, as well the nature of allegation against the petitioner who is lady, let the above named petitioner, in the event of her arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Darbhanga in connection with Bahera P.S. Case No. 339 of 2022, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This application stands allowed.

(Chandra Prakash Singh, J)

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