

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70703 of 2023

Arising Out of PS. Case No.-156 Year-2023 Thana- TAJPUR District- Samastipur

1. Shabnam Devi @ Shabnam Kumari W/O Rahul Rai R/O Village- Indrawara Paharpur, Ps. Tajpur, Dist. Samastipur
2. Sanju Devi W/O Kailash Rai R/O Village- Indrawara Paharpur, Ps. Tajpur, Dist. Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hare Krishna Prasad, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 09-11-2023 Heard Mr. Hare Krishna Prasad, learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners at the outset submits across the Board that during the pendency of the application, the petitioner no. 2 has been arrested and, as such, he is not pressing the application on behalf of the petitioner no. 2.

3. In view of the submission made, the application on behalf of the petitioner no. 2 has become infructuous.

4. The petitioner no. 1 apprehends her arrest in connection with Tajpur P.S. Case No. 156 of 2023, registered for



the offences punishable under Sections 147, 149, 447, 448, 341, 323, 324, 326, 307, 504, 506 of the Indian Penal Code.

5. Allegedly on 10.03.2023, all the FIR named accused persons, including the petitioners and 3-4 unknown persons entered into the house of the informant and brutally assaulted his grandson. On account of assault, the grandson of the informant sustained serious injury on his neck.

6. It is submitted on behalf of the petitioner no. 1 that admittedly the alleged occurrence took place on 10.03.2023 but the present FIR has been instituted after a delay of 10 days on 21.03.2023 and no plausible explanation has been made for such delay. He further submits that even as per the narrations made in the FIR, there is omnibus nature of allegation, moreover, the petitioner no. 1 is a lady having fair antecedent and she undertakes that she will fully cooperate in the investigation or in the proceeding of the court. He next submitted that there is counter version of the present case being Complaint Case No. 625 of 2023 against the informant and his grandson instituted on the same day.

7. On the other hand, learned counsel for the State opposed the bail application.

8. Regard being had to the submissions made on



behalf of the parties and considering the fact that the petitioner no. 1 is lady having fair antecedent, apart from the fact that there is omnibus nature of allegation and the counter version of the present case, let the petitioner no. 1 abovenamed be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1, Samastipur in connection with Tajpur P.S. Case No. 156 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner no. 1.

(Harish Kumar, J)

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