

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62164 of 2022**

Arising Out of PS. Case No.-413 Year-2021 Thana- RAXAUL District- East Champaran

JONIYA DEVI W/o Jhokhu Rai R/o Village- Siswa P.S.- Raxaul, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Dhannjay Kumar No 2
For the Opposite Party/s :	Mr.Shyameshwar Dayal
	Mr. Rajesh Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 27-04-2023 Heard learned counsel for the parties.

Petitioner apprehends her arrest in a case registered for the offence punishable under Section 302/34 of the Indian Penal Code.

As per the prosecution case, all the FIR named accused persons, including this petitioner, came to the house of informant and assaulted the husband of informant resulting in death of the deceased on the spot.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is further submitted that specific accusation of assault is against Jhaku Rai and no specific overt act has been alleged against this petitioner. Both parties are agnates and due to old



land dispute the scuffle took place in which the husband of informant died. Petitioner is a lady and has got clean antecedent.

Learned counsel appearing for the State and the informant opposed the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran, Motihari in connection with Raxaul PS case No. 413/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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