

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63893 of 2022

Arising Out of PS. Case No.-446 Year-2021 Thana- PARSABAZAR District- Patna

Seema Devi, W/o Satypal Yadav R/v- New Atwarpur, P.S.- Parsa Bazar,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar, Advocate

For the Opposite Party/s : Mrs. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-05-2023 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

The petitioner apprehends her arrest in connection with Parsa Bazar P.S. Case No. 446 of 2021, registered under Sections 341, 323, 308, 325, 354, 379, 504 and 506/34 of the Indian Penal Code.

The prosecution case, in brief, is that accused persons named in the F.I.R. prepared a forged and fabricated document and tried to grab the land of the informant. Thereafter, accused persons started constructing house over the share of husband of the informant. When informant raised objection then accused persons named in the F.I.R, including the petitioner, variously armed with weapon came at the door of informant and started assaulting in which informant as well as her other family members sustained injury.



Learned counsel appearing on behalf of the petitioner submitted that taking into consideration the allegation made in the F.I.R. against the petitioner, no case under Sections 354 and 379 of Indian Penal Code is made out against the petitioner. He further submitted that the specific allegation of assault is against the husband of the petitioner.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

Considering the rival submission of the made by the parties as well as allegation made in the F.I.R. and the fact that the accused persons and the petitioner are family members and the fact that petitioner is a lady is directed to be released on pre-arrest bail, in the event of his 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 Parsa Bazar P.S. Case No. 446 of 2021 in connection with Ms. Aditi Jha, J.M.1st Class, Patna, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Purnendu Singh, J)

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