

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66996 of 2023

Arising Out of PS. Case No.-486 Year-2022 Thana- BARAUNI District- Begusarai

Lakshmi Devi, Wife of Sipak Tanti, Resident of Village- Mosadpur, P.S.-
Barauni (Refinery O.P.), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nakul Kumar Jamuar, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-11-2023 Heard Mr. Nakul Kumar Jamuar, learned counsel

appearing on behalf of the petitioner and the learned APP for the

State.

2. The petitioner is a lady, apprehending her arrest in connection with Barauni P.S. Case No. 486 of 2022 registered for the offences punishable under Sections 341, 323, 504, 506, 307, 326/34 of the Indian Penal Code.

3. The petitioner along with her husband allegedly assaulted and abused the informant and in course therein they also threw boiling hot rice (Mand), due to which the informant's daughter sustained burn injury. It is also alleged that the petitioner assaulted the wife of the informant and pushed down the two months baby from the bed, due to which she also sustained injury.



4. It is submitted on behalf of the petitioner that during the course of investigation, the police submitted final report showing the petitioner as innocent, however, differing with the final report, the learned court below took cognizance of the offences, as alleged in the F.I.R., which necessitated the filing of the present application. He further submits that there is a land dispute between the parties, which resulted into some hot exchange of talk and scuffle, wherein the persons of both sides sustained some injuries, but on account of the aforesaid enmity, the name of all the family members, including the petitioner, have been implicated in this case. That apart, the petitioner is a lady, having fair antecedent, and undertakes that she will fully cooperate in the investigation or in the proceeding of the Court.

5. On the other hand, learned APP for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that in course of investigation the police has not found the case true against the petitioner and she has not been charge-sheeted, however, the learned court below differing with the final report took cognizance of the offences, coupled with the fair antecedent, let the petitioner, named above, in the event of her arrest or



surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Begusarai in connection with Barauni P.S. Case No. 486 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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