

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68655 of 2023

Arising Out of PS. Case No.-261 Year-2023 Thana- JHAJHA District- Jamui

GAYATRI DEVI W/o- FUKO SAW Village- Borwa PS- Jhajha Dist- Jamui

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Jhajha P.S. Case No. 261 of 2023 registered for the offences punishable under Sections 447, 341, 323, 307, 279, 504 and 34 of the Indian Penal Code. She has got no criminal antecedent.

3. As per the prosecution story, on 29.05.2023, a scuffle took place between the informant and the petitioner side in which it is alleged that petitioner's side abused and assaulted the informant and this petitioner also snatched informant's ornament. When the informant's husband and son came to her rescue, they were badly assaulted by the petitioner and his husband.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner and informant are closed door neighbours and they had a scuffle due to which this occurrence took place in which Ankit Kumar suffered one injury which is said to be simple in nature caused by hard and blunt object. There is no allegation of repetition of blow.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission that the petitioner and the informant side had a scuffle on a petty issue, they are closed door neighbours and it was not a premeditated fight which would also be evident from the fact that there is no allegation of repetition of blow against this petitioner and further that the petitioner is said to have caused injury to Ankit Kumar who has suffered one injury on the temporal region, abrasion and swelling on hand middle finger, but all are simple in nature, said to have been caused by hard and blunt object, the petitioner has otherwise no criminal antecedent, in the circumstances, this Court directs that in case of her arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in connection with Jhajha P.S.



Case No. 261 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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