

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10842 of 2024

Arising Out of PS. Case No.-142 Year-2022 Thana- RUDRAPUR District- Madhubani

Bhago Devi W/O Ganga Paswan Village- Batsara, Ps. Rudrapur,
Dist.Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Raj, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 11-03-2024 Learned counsel for the petitioner is permitted to make necessary correction in prayer portion of the petition during course of the day.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. The petitioner is apprehending his arrest in connection with Rudrapur P.S. Case No. 142 of 2022, dated 26.08.2022 registered for the offences punishable under Sections 302, 341, 325, 504, 307, 506 and 34 of the Indian Penal Code.

4. As per prosecution case, the petitioner and others are said to have assaulted the informant's side by means of bricks and on account of the said brick batting, several persons sustained injury from the informant's side.

5. Learned counsel for the petitioner submits that

the petitioner is quite innocent and has committed no offence as alleged in the F.I.R. There is no specific allegation against the petitioner. The allegation is general and omnibus in nature. The petitioner is a female lady having no criminal antecedent. He further submits that the case of the present petitioner is identical with the co-accused Sushila Devi and Saraswati Devi, who has already been granted anticipatory bail vide Cr. Misc. No. 58039 of 2023. On the principle of parity, the petitioner deserves bail.

6. Learned A.P.P. for the State vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record on the principle of parity, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail 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 Judicial Magistrate, 1st Class, Jhanjharpur in connection with Rudrapur P.S. Case No. 142 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Alok Kumar Pandey, J)

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