

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17217 of 2024

Arising Out of PS. Case No.-415 Year-2023 Thana- DHANARUA District- Patna

Sangita Devi @ Lalmuni Devi Wife of Sri Rajdeo Prasad Resident of Village-
Sigrampur, P.S. Dhanarua, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh
For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 08-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending her arrest in connection with Dhanarua P.S. Case No. 415 of 2023 registered for the alleged offences under Sections 341, 323, 307, 504/34 of the Indian Penal Code and subsequently added Section 302 of the Indian Penal Code.

3. As per prosecution case, petitioner and other co-accused persons in the background of land dispute assaulted the informant and her mother and her father causing injury to them. Later on, the father of the informant succumbed to his injuries.

4. The learned counsel for the petitioner submits that the petitioner is a lady and has been falsely implicated in this case. Admittedly, the occurrence took place in the background



of a land dispute. The story as narrated by the informant in her written report is false and concocted and that the informant has not received any injury and she has made up this story to arraign the family members of the petitioner in the present case as accused. Moreover, the only allegation levelled against the petitioner is that of pulling the hair of the mother of the informant and apart from that no other overt act has been attributed against her. Learned counsel further submits that the witnesses examined during the investigation have not supported the prosecution case. Even the story of deceased succumbing to his injuries in a private hospital during treatment appears to be not believable as the hospital where the deceased was taken for treatment has prefixed 'late' before the name of the deceased. Learned counsel further submits that the petitioner has got clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned counsel submits that the petitioner has been named with other co-accused for assaulting the father of the informant who lost his life while undergoing treatment.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering that



the petitioner is a lady and there is no specific allegation of any overt act of assault on the deceased against the petitioner and further considering the background of land dispute and possibility of false implication, let the petitioner, above named, in the event of her arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Masaurhi, Patna, in connection with Dhanarua P.S. Case No. 415 of 2023, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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