

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32866 of 2024

Arising Out of PS. Case No.-586 Year-2022 Thana- CHHATAUNI District- East Champaran

Isha Kumari D/o Mohan Gupta R/o vill - Arya Samaj Chowk, P.s. -
Chhatauni, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-07-2024 Heard learned counsel for the petitioner, informant
and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in a case registered for the offence punishable under Sections 302, 34 of the Indian Penal Code.

3. Petitioner along with other accused persons are said to have assaulted the brother of the informant by means of knife due to which he died in course of treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is no specific overt act against the petitioner. He submits that there is general and omnibus allegation levelled against the petitioner. He submits that there is specific allegation of assault by knife is against co-accused Ranu Kumar. He submits that earlier petitioner has been granted



bail by the juvenile court but when the court below got knowledge that the petitioner is major, non-bailable warrant has been issued against her. He submits that similarly situated co-accused has already been granted bail by this Court vide order dated 15.12.2023 passed in Cr. Misc. No. 79969 of 2023. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State and the informant opposing the prayer for bail submits that the petitioner and the co-accused forcing the informant and her family to withdraw the case otherwise they will kill the family member of the informant.

6. Considering the facts and circumstances of the case, let the above named petitioner in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on 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 the learned court below where the case is pending/successor court in connection with Chhatauni P.S. Case No. 586 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



7. However, Superintendent of Police, East Champaran, Motihari is directed to give protection to the witnesses and informant of this case.

(Anjani Kumar Sharan, J)

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