

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33842 of 2024

Arising Out of PS. Case No.-140 Year-2018 Thana- CHAUTHAM District- Khagaria

Manju Devi wife of Srilal Prasad Chaurasia Village Bhutauli, Malpa, P.S.
Chautham, District Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-05-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Chautham P.S. Case No. 140 of 2018 for the offence under Sections 341, 323, 504, 325, 308, 506 and 34 of the I.P.C. lodged on 16.07.2018 by the informant, Subodh Prasad Chaurasia.

3. As per the prosecution story, the informant alleged that the accused persons came, damaged his wall and upon objection, abused/assaulted. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that earlier she was granted benefit of Section 41A(1) by the Police and in that background, learned Sessions Judge disposed of the matter.

5. His submission is that other accused persons were



also had that benefit subsequently, moved in Cr. Misc.No. 32022 of 2023 and the same was disposed of with following order:-

“Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Petitioners apprehend their arrest in connection with Chautham P.S. Case No.140 of 2018 registered under Sections 341, 323, 504, 325, 308, 506 and 34 of the Indian Penal Code. Learned counsel for the petitioners submits that the petitioners are on police bail.

Considering the facts and circumstances of the case, it appears that the matter is well covered by the decision of this Court in the case of Mahendra Prasad Singh Vs. State of Bihar, reported in 2004(3) P.L.J.R. 491.

In view of the above, it is directed that petitioners may surrender before the Court below within a period of four weeks from today. In case, the petitioners surrender and file an application for bail, the concerned Court will pass an order in the similar manner as has been decided in the case of Mahendra Prasad Singh (Supra).

With the above directions/observations, this application is



disposed of.”

6. This petition also stands disposed of in the light of
same order.

(Rajiv Roy, J)

Adnan/-

U		T	
---	--	---	--

