

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37481 of 2024

Arising Out of PS. Case No.-810 Year-2023 Thana- SARAIYA District- Muzaffarpur

Sudha Devi, Wife of Braj Kishore Sah, age about 50 years, Gender, Male,
Resident of Village - Bahiluara Bhual (North), P.S.- Saraiya, District –
Muzaffarpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 26-06-2024 Heard Mr. Mayank Singh, learned counsel appearing
on behalf of the petitioner and Mr. Dinesh Singh, learned APP
for the State.

2. The petitioner seeks pre-arrest bail in connection
with Saraiya P.S. Case No. 810 of 2023 registered for the
offence(s) punishable under Sections 448, 341, 323, 307,
354(B), 506 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused
persons named therein assaulted the informant and her husband
with pistol in a drunken condition and also tried to molest the
daughter of the informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that there is case and counter case between
the parties due to land dispute existing between them, in which,
both the sides sustained injuries and petitioner in her self-
defence, without any intention, might have caused some



injuries to the informant and her family members. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation, as well as, the information given on behalf of the petitioner that the incident took place due to land dispute and both the parties sustained injuries and also the fact that petitioner is a lady having clean antecedent, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate (ACJM-I), West Muzzaffarpur in connection with Saraiya P.S. Case No. 810 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Sanjay/-
Saurabh

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