

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42797 of 2024

Arising Out of PS. Case No.-443 Year-2021 Thana- TURKAULIYA District- East
Champaran

Sabeya Khatoon Wife Of Samsul Dewan Resident Of Village- Govindapur,
P.S. Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balgovind Sharma, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 28-06-2024 In the present case, the petitioner seeks bail in connection with Turkauliya P.S. Case No. 443 of 2021, registered for the alleged offences under Sections 323, 324, 341, 342, 307, 384, 387, 504, 506, 34, 147, 149, 327 and 447 of the Indian Penal Code.

2. As per the prosecution case, the petitioner and other co-accused persons assaulted the informant and his family members causing a number of injuries to them. The occurrence took place in the background of some land dispute.

3. Learned counsel appearing on behalf of the petitioner submits that the petitioner is stated to have assaulted Sunny Kumar and Kumar Satyam with lathi, but allegation of assault is also against other co-accused persons. The injury on Sunny has been found to be simple and one of the injuries on Satyam has been

found to be grievous. It is not probable that the petitioner, a lady, caused the injury on the person of these two injured. There is specific allegation of assault by sharp weapons on Sunny and Satyam by the co-accused Munna Dewan and Salim Dewan. The other co-accused persons have been granted bail/anticipatory bail by different Coordinate Benches of this Court in Cr. Misc. Nos. 50413 of 2021, 61359 of 2021, 62424 of 2021 and 1950 of 2022. The charge sheet has been submitted in this case and the petitioner is in custody since 06.02.2023. Petitioner is having one criminal antecedent in which she is on bail.

4. Learned APP opposes the prayer for bail submitting that the petitioner and co-accused assaulted with danda on the head of injured.

5. Having regard to the facts and circumstances of the case and the submissions made hereinabove and further considering the fact that injuries on the person of two injured are also said to have authored by other co-accused persons as well and also considering the submission of charge sheet and the period of custody of the petitioner, she is directed to 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 Chief Judicial Magistrate, East Champaran at Motihari, in connection with Turkauliya P.S. Case No. 443 of 2021, subject to the

conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions:

(i) One of the bailors will be the close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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