

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56338 of 2024

Arising Out of PS. Case No.-626 Year-2023 Thana- BANKA District- Banka

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1. Menka Devi @ Manimala Devi @ Menka, W/O Late Vishnu Choudhary
 2. Gudiya Devi, W/O Nagendra Choudhary,
Both are residents of village-Parariya, P.S. and Distt-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Banka P.S. Case No. 626 of 2023, registered for the alleged offence under Sections 341, 323, 506, 308, 379, 324/34 of the Indian Penal Code.

3. As per prosecution case, the petitioners assaulted the informant with *lathi*, *danda* causing fracture of her head and they also bit the informant on her hand. The occurrence took place in the backdrop of suspicion of informant about illicit relationship of the petitioner no.2 with her husband.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in



this case. The petitioner no.2 had earlier filed a case bearing Banka P.S. Case No. 631 of 2023 against the informant and others and, thereafter, the present false case has been lodged with completely false allegation. Both sides are agnates and due to family feud over some minor issue, the occurrence took place between the parties. However, the injury report of the informant shows simple nature of injury. The petitioners are ladies and having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the the earlier version of the case lodged by the petitioners' side and further considering the simple and superficial nature of injuries on the informant and also considering the possibility of false implication and clean antecedent, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Banka P.S. Case No. 626 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 petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

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