

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49602 of 2024

Arising Out of PS. Case No.-54 Year-2024 Thana- BANKA District- Banka

Usha Devi Wife of Shiv Prasad Paswan R/O Vill.- Jagatpur, P.s.- Banka, Dist.- Banka.

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-08-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Banka Police Station Case No. 54 of 2024, disclosing offences under Sections 147, 149, 341, 323, 308, 353, 332, 504, 506 of the Indian Penal Code.

3. As per the First Information Report, on 10.02.2024, while the informant being A.S.I. of Banka Police Station, arrived at the place of occurrence where one Shiv Prasad Paswan was carrying out construction work on the land and when the informant along with his team inquired about the reason behind the dispute, then the petitioner along with other accused persons and some unknown persons assaulted the informant and the police party and also prevented them in discharge of their official duty.

4. Learned Counsel for the petitioner submits that the petitioner is a lady and there is land dispute between Shiv Prasad



Paswan and Chandra Shekhar Paswan. There is no specific allegation of assault against the petitioner and she has been made accused along with other male family members. The injuries caused to the informant and the police party are not serious in nature.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is a lady having no specific allegation of assault, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of her arrest or surrender before the Court below within four weeks, 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, Banka, in connection with Banka Police Station Case No. 54 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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