

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49616 of 2024

Arising Out of PS. Case No.-168 Year-2024 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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GITA DEVI @ GITA KUMARI W/O BIRENDRA KUMAR @ LADDU
LAL R/O VILLAGE- MUBARAKPUR, P.O- SANKH, P.S- MUFFASIL,
DISTT.- BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-08-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 341, 323,
324, 325, 307 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and is a woman and the
informant alleges that she is wife of Devnandan and her
husband has two brothers namely Birendra and Ramnandan, it is
next alleged that Ramnandan suffers from paralysis, as such, his
wife left him and performed her second marriage, it is further
alleged that Birendra is a person with questionable character,
further on 11.04.2024 Birendra and his wife (petitioner)



assaulted Ramnandan, on which he raised alarm thereafter informant and her husband on hearing alarm came to save Ramnandan along with their son Jitendra and Sikandar, it is also alleged that Badal, son of Birendra, assaulted her husband by *Kudal* causing injury on head and petitioner assaulted her with *lathi* and rod causing injury on head, further Birendra and his younger son Vivek assaulted her son.

4. Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that on account of dispute relating to property in the family, the present false case has been instituted. It is also submitted that though there is allegation of assault against this petitioner who is wife of Birendra and sister-in-law (Gotni) of the informant of assaulting the informant, but then from perusal of the FIR, it would manifest that the same records that she assaulted both by *lathi* and rod. It is also submitted that the injury suffered by the injured is simple in nature.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned trial court



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Muffasil P.S. Case No. 168 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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