

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53815 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- PATEPUR District- Vaishali

Nisha Kumari Daughter of Ashok Paswan R/O Vill.- Lakhanipur, P.s.- Patepur
in the Dist. of Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Adv.

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Patepur P.S. Case No. 05 of 2024 dated 16.01.2024, instituted for the offence punishable under Sections 341, 323, 325, 307, 379, 354, 504, 506/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on the date of occurrence while the informant was pouring water in his field, in the meantime, all the accused persons including the petitioner came there and started abusing him. Upon protest, all the accused persons assaulted the informant by means of *lathi*, *danda*, iron rod, *hausa* etc.



4. Learned counsel for the petitioner submits that the petitioner is innocent and she has been falsely implicated in this case. It is submitted that there is specific allegation against Niraj Paswan, who assaulted with *hasua* on the head of the informant and co-accused Rishu Kumar assaulted the informant's son. There is no specific allegation against the petitioner rather the allegation against him is general and omnibus. Both the parties are agnates and there is a land dispute between them. There is case and counter case between the parties. A counter case bearing Patepur (Harlochanpur) P.S. Case No. 13 of 2024 has been filed by mother of the petitioner under Section 307 and other allied sections of the I.P.C. against the informant and his family members. Lastly, it has been submitted that she has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with



Patepur P.S. Case No. 05 of 2024, she shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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