

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61258 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- GOH District- Aurangabad

1. Sujit Kumar, Male, aged about 43 years, S/o Late Murari Singh, R/o Kurva, P.S. - Goh, Distt. - Aurangabad, Bihar
2. Nilam Devi, Female, aged about 40 years, W/o Sujit Kumar, R/o Kurva, P.S. - Goh, Distt. - Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y. C. Verma, Senior Advocate Mr. Adarsh Singh, Advocate Mr. Vikash Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Upendra Kumar, APP
For the Informant	:	Mr. Santosh Chandra Bhaskar, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 17-12-2024 Heard learned senior counsel for the petitioners, learned Additional Public Prosecutor for the State as well as learned counsel for the informant, who has appeared *suo motu*.

2. At the very outset, learned senior counsel for the petitioners seeks permission to withdraw this application for anticipatory bail in so far it relates to petitioner no.1, Sujit Kumar, since it has become infructuous as against him due to his arrest by the police.

3. Accordingly, this application is dismissed as withdrawn in so far as it relates to petitioner no.1, Sujit Kumar.

4. The petitioner no.2, Nilam Devi, apprehends arrest



in connection with Goh PS Case No.10 of 2024 dated 15.01.2024, instituted under Sections 341, 324, 307, 506/34 of the Indian Penal Code.

5. The allegation against the petitioner is that she along with other co-accused persons assaulted the informant and his son by *lathi* and iron rod.

6. Learned senior counsel for the petitioner no.2 submits that the petitioner no.2, Nilam Devi, is innocent and she has been falsely implicated in this case. She is the own sister-in-law (*Bhabhi*) of the informant. There is no specific allegation against her, rather, the allegation is general and omnibus. There is case and counter case between the parties. Counter case i.e. Goh PS Case No.09 of 2024 has been lodged by Sujit Kumar, who is the husband of petitioner no.2. Land dispute is going on between the parties. Lastly, it is submitted that the petitioner no.2 has no criminal antecedents.

7. Learned APP as well as learned counsel for the informant have opposed the prayer for bail.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the **petitioner no.2, Nilam Devi**, be



released on 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 Chief Judicial Magistrate, Aurangabad, in Goh PS Case No.10 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

9. The application stands disposed of.

(Khatim Reza, J)

J. Alam/-

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