

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67220 of 2024

Arising Out of PS. Case No.-135 Year-2024 Thana- DARIYAPUR District- Saran

Gulshan Jahan, W/O Shahnawaj @ Chand Babu, R/O Village- Manpur, P.S-
Dariyapur, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Tribhuwan Narayan, Advocate
For the State	:	Mrs. Madhuri Lata, APP
For the Informant	:	Mr. Ajay Kumar Singh No.1, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 18-12-2024 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. In this present case, the petitioner is apprehending her arrest in connection with Dariyapur P.S. Case No. 135 of 2024, registered for the offences under Sections 341, 323, 324, 307, 302, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, the petitioner and co-accused assaulted the wife of the informant and his son, who subsequently succumbed to his injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The informant is the own brother of the husband of this petitioner and both the parties stay in a common house. Due to family dispute, scuffle took place between the parties



and the son of the informant received injuries and died, but the petitioner did not assault him. The allegation of giving repeated knife blow against the petitioner is false and concocted. The post mortem report shows only one injury. This falsifies the allegation that the petitioner was involved in giving repeated knife blow to the deceased. The petitioner has been working as Aganwari Sewika and she has been dragged in this case in order to get her removed from the job. Further allegation against the petitioner is that of giving knife blow to the wife of the informant, but the injury report shows superficial nature of injuries of simple nature. The learned counsel further submits that co-accused husband has surrendered before the learned trial court and has been taken in custody. The learned counsel also submits that the petitioner, who is a lady, is having clean antecedent.

5. Learned APP as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioner. The learned counsel for the informant submits that there is specific allegation against the petitioner and co-accused.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner is a lady and further considering the



absence of injuries attributed to the petitioner against the deceased and further considering the simple injuries of the victim of the petitioner and also considering the possibility of false implication as well as her clean antecedent, let the petitioner above named, in the event of her 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/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran at Chapra, in connection with Dariyapur P.S. Case No. 135 of 2024, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

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