

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74360 of 2024

Arising Out of PS. Case No.-214 Year-2024 Thana- GARKHA District- Saran

Suman Devi @ Sunita Devi Wife of Ramrup Kushwaha Village- Pitha Ghat,
Ps- Garkha, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-11-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Garkha P.S. Case No. 214 of 2024 dated 25.04.2024 registered under Section 341, 323, 307, 316, 34 of the I.P.C.

3. As per the prosecution case on 22.04.2024 the brother-in-law (Bhaisur) opened the door of the informant, dragged her with hair, gave blow on the informant's stomach due to which miscarriage took place. The informant was having pregnancy of three months at that point of time. It has further been alleged that the petitioner along with her daughter assaulted the informant with fists and slaps and also hit the informant near the eye.

4. Learned counsel for the petitioner submits that both the parties are closely related and the petitioner is the "gotni" of the



informant. The allegation in the F.I.R. of assaulting the informant on her stomach is against the co-accused / Ramroop Kushwaha i.e. husband of the petitioner, who has been exonerated by the police during the course of investigation. Referring to Annexure – P/2 i.e. injury report, learned counsel submits that no injury has been found near the eye of the informant.

5. On the other hand, learned counsel for the informant opposed the prayer for anticipatory bail and submits that after investigation Police came to the finding that it was not the husband, who assaulted the informant on his stomach, but it was the petitioner and others who assaulted her causing miscarriage of pregnancy.

6. Regard being had to the submission made by the parties, taking into consideration the nature of allegation made in the F.I.R. in which assault on the stomach was made by Ramroop Kushwaha and the petitioner is a lady, I am inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with



two sureties of the like amount each to the satisfaction of
ACJM-IV, Saran at Chapra in connection with Garkha P.S. Case
No. 214 of 2024 subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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