

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79969 of 2024

Arising Out of PS. Case No.-117 Year-2024 Thana- SARAI District- Vaishali

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Jagtarani Devi, aged about 54 years, Female, Wife of Late Jagarnath Thakur
R/O- Village - Darveshwar @ Darveshpur (Anjani), P.S. - Sarai, District-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar, Advocate

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-12-2024 Heard Mr. Manish Kumar, learned counsel appearing

on behalf of the petitioner and Mr. (Dr.) Ajeet Kumar learned

APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Sarai P.S. Case No. 117/2024 registered for the offence(s)
punishable under Sections 341, 323, 324, 325, 326, 307, 354,
504, 506/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, all the
accused persons including the petitioner had assaulted the
informant and her family members, as a result of which, they
sustained injuries. Further allegation is that the accused persons
also outraged the modesty of the daughter of the informant
when she came to rescue her mother.



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. He further submitted that there is case and counter case between the parties, as son of the informant has also lodged an FIR being Sarai P.S. Case No.109 of 2024, alleging therein that he was brutally assaulted by the informant's side, resulting into head injury and when his wife came to rescue him, they outraged her modesty. Learned counsel further submits that due to land dispute, both the parties entered into fierce fight during which, in self defence, the petitioner may have caused some injury on the informant without any intention. Petitioner is a lady, having clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR and also the fact that there is case and counter case between the parties and petitioner, who is a lady and having clean antecedent, in self defence may have caused some injury on the informant without any intention, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.



7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of her arrest or surrender before the learned District Court 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 learned C.J.M., Vaishali at Hajipur in connection with Sarai P.S. Case No. 117/2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Sanjay/-

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