

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82826 of 2024**

Arising Out of PS. Case No.-174 Year-2024 Thana- SANGRAMPUR District- East
Champaran

Raushani Devi @ Roshni Devi Wife of Surendra Thakur R/O- Sangrampur
Mathiya, PS- Sangrampur, District- East Champarn at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar
For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-12-2024 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Sangrampur Police Station Case No. 174 of 2024,
dated 03.07.2024, disclosing offences punishable under
Sections 126(2)/115(2)/118(1)/117(2)/109/329(3)/352/
3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report,
is that on 03.07.2024, at about 6 AM, while the informant
was at her door, due to previous dispute, the co-sharers of
the informant and all the named accused persons arrived
there, started abusing her and upon objection by the
informant, the accused persons, named in the First



Information Report, assaulted her and when the informant's brother-in-law, Baliram Thakur intervened, co-accused Naulesh Thakur assaulted him by spade on his head and other accused persons also assaulted him with leg. When the informant's husband intervened, co-accused Sonu Kumar assaulted him by means of farsa and it has further been alleged that Sonu Kumar assaulted Sapna Kumari with lathi, causing fracture of her right hand. The allegation against the petitioner is that she assaulted Priti Kumari with an axe, causing injury on her finger.

4. Learned Counsel for the petitioner submits that both the parties are agnates/co-sharers and the petitioner is not named in the First Information Report. From perusal of the First Information Report, it appears that the occurrence has taken place due to land dispute between the parties. The name of the petitioner has been dragged in this case as an afterthought in the restatement of the informant before the police only because she happens to be the wife of co-accused Surendra Thakur.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that



the petitioner is not named in the First Information Report and her name has transpired during the re-statement of the informant before the police and both the parties are agnates having land dispute, I am inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, at Motihari, in connection with Sangrampur Police Station Case No. 174 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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