

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84978 of 2023

Arising Out of PS. Case No.-198 Year-2023 Thana- KALYANPUR District- East Champaran

Sapana Devi, Wife Of Shailendra Sharma, Resident Of Village- Bharthuiya,
P.S. Owarai, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 18-01-2024 Heard Mr. Vijay Shankar Shrivastava, learned counsel
appearing on behalf of the petitioner and the learned Additional
Public Prosecutor for the State.

2. The petitioner apprehends her arrest in connection
with Kalyan Pur P.S. Case No. 198 of 2023, registered for the
offences punishable under Sections 341, 323, 324, 307, 354(B),
379, 380, 504, 506 and 34 of the Indian Penal Code.

3. It is alleged that the petitioner alongwith co-
accused assaulted the informant when her husband was trying to
outrage the modesty of Puja Devi.

4. Learned counsel appearing on behalf of the
petitioner submits that from the narrations made in the F.I.R. it
is evident that the petitioner herself received the injury on her



head while she was trying to pacify the matter. In fact, the present case is nothing but a counterblast to Kalyanpur P.S. case no. 196 of 2023 instituted by the husband of the petitioner against the father of the informant and others. So far the injuries sustained to the mother of the informant is concerned, the same is found to be simple in nature, but caused by sharp cutting weapon, which also does not support the prosecution case. He lastly submits that the occurrence alleged to have taken place on 07.06.2023, but the F.I.R. has been instituted on 11.06.2023 after institution of Kalyanpur P.S. Case No. 196 of 2023.

5. On the other hand, learned counsel for the State fairly submits that the petitioner being lady appears to be falsely implicated in this case with a view to put pressure upon the family members of the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the delay in institution of the F.I.R. and the case and counter case, apart from the nature of allegation against the petitioner who is a lady having fair antecedent, let the petitioner above named be released on bail, in the event of her arrest or surrender before the court below within



a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate in connection with Kalyanpur P.S. Case No. 198 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

supratim/-

U		T	
---	--	---	--

