

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81879 of 2024

Arising Out of PS. Case No.-188 Year-2024 Thana- KISHANPUR District- Supaul

Ruby Devi @ Rubi Devi Wife of Santosh Ram Resident of Village- Andoli,
Ward No. 4, P.S.- Kishanpur, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Anand, Advocate
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-12-2024 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner apprehend her arrest in connection
with Kishanpur P.S. Case No. 188 of 2024, registered for the
offences punishable under Sections 126(2), 115(2), 118(1),74,
303(2)/3(5) of the B.N.S.

3. Based upon the written report, the prosecution
alleges that on18.07.2024 at about 3.00 p.m., all the FIR named
persons including the petitioner, entered into the room of the
informant and co-accused Md. Kasim started misbehaving. It is
further alleged that this petitioner gave *Dabiya blow* on the
informant, due to which she sustained serious injury. There is
further allegation of assaulting and snatching the valuables
against other accused persons.



4. Learned Advocate for the petitioner contended that from the narrations made in the FIR, it is evident that that occurrence took place on 18.07.2024 but, surprisingly, the present case has been instituted on 25.07.2024 without any explanation of such delay. It is further contended that, in fact the present case is nothing but a counter blast to SC/ST P.S. Case No.32 of 2024 registered against the husband of informant and others. Moreover, the injury which is allegedly caused on the informant, has been found to be simple in nature. It is lastly contended that be that as it may, the petitioner is a lady having fair antecedent and she undertakes that she will fully co-operate in the proceeding of the Court.

5. On the other hand, learned advocate for the State vehemently opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the FIR, coupled with the simple nature of injury and the submissions of the petitioner that the present case has been instituted on the retaliation of the earlier case, 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 Chief Judicial Magistrate, Supaul, in connection with Kishanpur P.S. Case No. 188 of 2024 , 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)

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