

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2704 of 2024

Arising Out of PS. Case No.-66 Year-2023 Thana- PIRI BAZAR District- Lakhisarai

Basanti Devi, W/O- Mathura Yadav, Vill - Maheshpur, P.S. Piri Bazar, Dist -
Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending her arrest in connection with Piri Bazar P.S. Case No. 66 of 2023, registered for the offences under Sections 448, 341, 323, 379, 307, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, in the background of dispute over partition of residential property, the petitioner and other co-accused persons assaulted the informant and his family members causing a number of injuries to them.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no specific allegation against this petitioner



and the allegation of assault is against other co-accused persons. The petitioner is the sister-in-law of the informant and there is case and counter case between the parties. Co-accused, husband of the petitioner, Mathura Yadav has lodged Piri Bazar P.S. Case No. 67 of 2023 against the informant and other co-accused persons. Apparently, it is a case of free fight between members of the same family. Both sides received injuries. Even otherwise the injuries of the victim have been found to be simple in nature and are merely laceration, abrasion and pain.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner is a lady and allegations are general and non-specific and injuries are stated to be simple in nature and also considering the possibility of false implication, let the petitioner above named, in the event of her arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned



Chief Judicial Magistrate, Lakhisarai/court concerned in connection with Piri Bazar P.S. Case No. 66 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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