

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43269 of 2014

Arising Out of PS.Case No. -20 Year- 2014 Thana -MEHDIGANJ District- PATNA

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1. Putul Devi, W/o Ram Babu Yadav, Resident of Brahmchari, P.S.-Maner,
A/P Hazari Mohalla-P.S.-Mehandiganj, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Bansh Dubey, Advocate

For the Opposite Party/s : Mr. Awadhesh Kr.Singh (APP)

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

3 03-03-2015 The petitioner was arrested on 01.09.2014 in connection with Mahandiganj P.S. Case No.20 of 2014. The allegations against herself and some other family members are that they had beaten Bitan Gope to death on 13.03.2014 and that they had also administered poison to him. The petitioner filed B.P. No.547 of 2014 in the Court of 1st Additional Sessions Judge, Patna City. The same was dismissed on 08.10.2014. Hence, this application.

The record discloses that though Sections 302, 328 and 34 of the Indian Penal Code were invoked against the petitioner and others, the provision was altered to the one of the Sections 306 read with section 34 of the Indian Penal Code. That, *prima facie*, discloses uncertainty in the matter.

Be that as it may, the petitioner being a woman, is in jail for the past five months.

Hence, this application is allowed. The petitioner shall be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Patna City, in connection with Mehandiganj P.S. Case No.20 of 2014.

(L. Narasimha Reddy, CJ)

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