

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29632 of 2014

Arising Out of PS.Case No. -18 Year- 2013 Thana -KHUDAGANJ District- NALANDA
(BIHARSHARIFF)

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1. Kaushalya Devi Wife/Widow of Tetar Kewat Resident of Village -
Janakpur, P.S.- Khudaganj, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha

For the Opposite Party/s : Mr. R.S.Choudhary (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 13-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends her arrest in connection with
Khudaganj (Nalanda) P.S. Case No. 18 of 2013 registered for the
offences punishable under Sections 341, 323, 504, 506 and 307
Indian Penal Code in which Sections 302/34 Indian Penal Code
were added on 12.6.2013.

Allegedly, the petitioner and co-accused Raja Ram
Kewat, Gaure Kewat and Bhutan Kewat caught hold the father of
the informant and Tetar Kewat gave lathi blow on his head
resulting he fell down and later on he succumbed to the injuries.

Submission is that the petitioner is a lady and has

unnecessary been implicated, the injury report and post mortem report are contradictory to each other and the petitioner is not the assailant and there is only one head injury and for that co-accused Tetar Kewat is responsible. All the accused persons belong to one family and not a single independent witness has been examined and the petitioner has no criminal antecedent and deserves sympathetic consideration to which the learned APP opposes.

Considering that the petitioner is a lady and there is no allegation against her for assaulting the informant's father, as such the petitioner above named, in case of her surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Hilsa in connection with Khudaganj P.S. Case No. 18 of 2013, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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