

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36487 of 2015

Arising Out of PS.Case No. -171 Year- 2015 Thana -LAKHISARAI District- LAKHISARAI

1. Daula Devi @ Daul Devi, Wife of Modi Mandal, Resident of Village- Govind Bigha, Shyam Tola, P.S. Lakhisarai, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.47863 of 2015

Arising Out of PS.Case No. -171 Year- 2015 Thana -LAKHISARAI District- LAKHISARAI

1. Modi Mandal @ Muddi Mandal Son of Bishundeo Mandal, Resident of Village- mado Tola, P.S. - Mokama, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.36487 of 2015)

For the Petitioner/s : Mr. Ashok Kumar Kashyap

For the Opposite Party/s : Mr. Madhuranand Jha(App)

(In Cr.Misc. No.47863 of 2015)

For the Petitioner/s : Mr. Ashok Kumar Kashyap

For the Opposite Party/s : Mr. Sangita Sharma (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 04-11-2015 Heard both sides.

The petitioners apprehend their arrest in Lakhisarai P.S.
Case No. 171/2015, registered for the offences punishable under
Section 307 and other sections of the Indian Penal Code later on
Section 302 was added.

The petitioners are named in the F.I.R. and the informant alleged that while his sons had gone to see Matka Phor programme, Rajesh Mandal asked them not to participate in the Matka Phor programme and started abusing. Premi Devi, wife of the informant and Surji Devi mother of the informant raised protest, but the accused persons assaulted Premi Devi, wife of the informant, Surji Devi mother of the informant and others. Premi Devi died during the course of treatment.

It is submitted that no specific allegation is made against any of the petitioners. There is enmity between the parties.

Considering the facts aforesaid and the fact that the petitioner Daula Devi is a lady and no specific allegation is made against her, the petitioner Daula Devi, 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, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P.S. Case No. 171/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

So far as, the case of Modi Mandal @ Muddi Mandal is

concerned, he is alleged to have assaulted Premi Devi, Surji Devi, informant and his son along with other accused persons. The wife of the informant Premi Devi died during the course of treatment considering the facts, I am not inclined to enlarge the petitioner Modi Mandal @ Muddi Mandal on anticipatory bail. Accordingly the same is rejected.

(Prabhat Kumar Jha, J.)

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