

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12516 of 2015

Arising Out of PS.Case No. -316 Year- 2013 Thana -FATEHPUR District- GAYA

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1. Malo Devi @ Molo Devi @ Melo Devi W/o Parmeshwar Manjhi, D/o Sibu Manjhi' Resident of Village Kathautiya Kewal, P.S. Fatehpur, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Ram Anurag Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 05-05-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner apprehends her arrest in connection with Fatehpur Police Station Case No. 316 of 2013 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

Petitioner is named in the first information report but admittedly, neither the informant nor the sons of deceased are eye witness of actual assault of the deceased. The informant claimed that deceased disclosed him that he was badly beaten by petitioner and F.I.R named accused Ranjit Yadav.

Learned counsel appearing for the petitioner submits

that the above stated statement of deceased does not corroborate by the post mortem report because no external or internal injury was found on the person of the deceased, except one contusion on scalp, which was detected after dissection of the dead body. It is further contended by him that the doctor could not opine regarding the cause of death of the deceased and viscera of the deceased was kept preserved but the viscera report has not been collected by the Investigating officer as yet.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also keeping in mind that petitioner happens to be a woman, let, the petitioner, in the event of her arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya in Fatehpur Police Station Case No. 316 of 2013, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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