

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56651 of 2015

Arising Out of PS.Case No. -84 Year- 2015 Thana -KHUDAGANJ District- NALANDA
(BIHARSHARIFF)

Savita Devi Wife of Shailendra Kumar @ Bhagwan Ji Resident of
Village/Mohalla - Rupaspur, P.S.-Khudaganj, Dist.-Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Gopesh Kumar(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 14-12-2015

Heard learned counsels for the petitioner
and the State.

The petitioner is apprehending her arrest in
a case registered for the offences punishable under Sections
302/34 of the Indian Penal Code.

The prosecution case is that on 13.06.2015
at 8.00 P.M. while the informant Sarita Devi was sitting along
with her husband in her grain field in front of her house co-
accused Shailendra Kumar @ Bhagwan Jee and this petitioner
came and started abusing with regard to memory card of mobile.

In the meantime, the brother-in-law of the informant Anil Kmar also came there when the husband of the informant made protest for hurling abuse co-accused Shailendra Kumar @ Bhagwan Jee threatened and this petitioner brought spear from her house and gave to her husband Shailendra Kumar @ Bhagwan Jee, who pierced the same in the chest of the husband of the informant, Satish Kumar who succumbed to the injury.

It is submitted by learned counsel for the petitioner that overt act has not been alleged against the petitioner, only she brought spear and give it to her husband who pierced the same in the chest of the husband of the informant when the petitioner was at advance stage of pregnancy at the relevant time and it was not possible for her to run around at the time of occurrence and she gave birth a child on 28.09.2015.

Considering the thrust of accusation against the husband of the petitioner Shailendra Kumar @ Bhagwan Jee, who is in custody and petitioner being a lady, let the above named petitioner be released on anticipatory bail, in the event of her arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial

Magistrate, Hilsa, Nalanda in connection with Khudaganj P.S.
Case No. 84 of 2015, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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