

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6711 of 2016

Arising Out of PS.Case No. -274 Year- 2015 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

=====

Rita Devi W/o Mahendra Paswan, Resident of village - Kailitand, P.S.
Bhagwanpur, District - Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satya Prakash Sinha, Advocate.

For the Opposite Party : Mr. Md.Arif (App)

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

3 08-04-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 274 of 2015, registered for the
offences punishable under Sections 302 and 34 of the Indian Penal
Code.

Allegedly for cutting palm leaves altercation started
and thereafter the petitioner and other co-accused being armed
with Lathi, Danda surrounded Umakant Singh the father of the
informant and on the order of Mahendra Paswan, Pankaj Kumar
assaulted the father of the informant with Danda on his body, head
and temporal region resulting the father of the informant died and

earlier also the petitioner has cut the hand of the father of the informant.

Submission is of false implication that during investigation independent witnesses vide para 52, 53, 61 and 62 have stated that Umakant Singh fell down from the cycle and as he was an old man aged about 80 years he died and as such the petitioner deserves sympathetic consideration to which the learned APP duly assisted by the learned counsel for the informant seriously opposes by submitting that eye witnesses vide para 29, 30 and 54 have stated that the petitioner assaulted Umakant Singh with Danda resulting he fell down.

In the facts and circumstances stated above, considering that charge sheet has already been submitted the petitioner is a lady and as such the petitioner above named is directed to 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 274 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial

and the default on two consecutive dates on her part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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