

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4302 of 2016

Arising Out of PS.Case No. -429 Year- 2015 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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1. Koshila Devi W/o Dhaneshwar Thakur, resident of village- Sugaon Dih,
P.S.- Sugauli, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 01-02-2016 Heard learned counsel for the petitioner and the state.

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

The prosecution case is that the grand son aged 10 years
of the informant went outside to play on 03.11.2015 at about 5:00
p.m., but after that he became traceless. On 04.11.2015 at 4:00
a.m. the victim was found lying dead on a bullock cart of Mishri
Lal Sah. Hence, the suspicion was raised that due to land dispute
between the informant and the husband of the petitioner the grand
son of the informant was throttled to death.

It is submitted by the learned counsel for the petitioner

that only on suspicion accusation has been levelled. Admittedly there is no eye witness to the occurrence. The order of the learned Sessions judge also does not reflect any material connecting the petitioner to the incident..

Considering the fact that accusation is based on suspicion and the 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 12 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 the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Sugauli P.S. Case No. 429 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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