

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24102 of 2016

Arising Out of PS.Case No. -166 Year- 2015 Thana -BARACHATTI District- GAYA

1. Maheshwari Devi, wife of Chalitar Yadav,
2. Muni Devi, wife of Late Ramautar Yadav, resident of Village-
Padumchak, P.S.-Barachatty, District- Gaya.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Dhirendra Kumar, Advocate

For the Opposite Party : Mr. Arvind Kumar Pandey (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 14-07-2016

Heard learned counsel for the petitioners and

learned A.P.P. representing the State.

The petitioners seek bail in connection with
Barachatty P.S. case no. 166/2015 registered for the offences
punishable under Sections 147, 148, 149, 447, 341, 323, 307,
504, 302 of the Indian Penal Code.

Allegedly, due to land dispute, co-accused
Vijay Yadav assaulted Krishna Yadav, the husband of the
informant with lathi on his head and he fell down. Thereafter,
co-accused Charitar Yadav also assaulted on his head
resulting the husband of the informant became like dead and
thereafter, the petitioners and Sanju Devi also assaulted with

lathi, danda on his whole body. During treatment, the husband of the informant died.

Submission is of false implication and that the petitioners being ladies have been implicated only with a view to harass them, they were not involved in the occurrence, during supervision it has come that the petitioners were not involved in the said occurrence and further the cause of death was due to head injury and as such, the petitioners who are suffering in custody since 06.03.2016, deserve sympathetic consideration. Charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. submits that petitioners are also named in the First Information Report.

In the facts and circumstances state above, considering that cause of death is due to head injury and for that two other co-accused are responsible, charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such, the petitioner abovenamed is directed to be released on bail on execution of

bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Sherghati arising out of Barachatty P.S. case no. 166/2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioners will remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from the privileges of bail.

(Jitendra Mohan Sharma, J.)

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