

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52875 of 2015

Arising Out of PS.Case No. -197 Year- 2014 Thana -BIHIYA District- BHOJPUR

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1. Jonia Devi W/o Late Lalan Yadav R/o village - Ganj, P.S. - Bihia, Distt. - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Govind Mishra

For the Opposite Party/s : Mr. Smt. Pushpa Sinha 2(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-03-2016

Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 341, 323, 504, 506, 328 and 498 (A)/34 of the I.P.C

Allegedly, the petitioner being mother-in-law and other FIR named accused persons in absence of husband of the informant were torturing and assaulting her and on 23.08.2014 at 6 P.M. they started abusing and assaulting with Danda and the petitioner threw kerosene oil on her and burnt with match stick resulting the informant received burn injuries.

Submission is of false implication and that the informant received burn injury when she was cooking food and taking advantage of the same she lodged this case against the

petitioner and others only with a view to take more share, though the petitioner and other co-accused are living separately since long from the informant and her husband, the injuries caused to the informant are simple in nature and without any fault the petitioner is suffering in custody since 09.10.2015 having no criminal antecedent, to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, considering detention of the petitioner and further that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Bhojpur, Ara in Behea P.S. Case No. 197 of 2014, 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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