

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.53253 of 2016**

Arising Out of PS.Case No. -12 Year- 2016 Thana -GOPALPUR District- PATNA

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Kaushalya Devi, wife of Lal Babu Rai, Resident of Village- Manpur  
Bairiya, P.S.- Gopalpur, District- Patna.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raj Bansh Dubey, Advocate.

For the Opposite Party/s : Mr. Sri Amrendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

**ORAL ORDER**

2      08-12-2016                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with  
Gopalpur P.S. Case No. 12 of 2016 registered under Sections 147,  
148, 149, 323, 341, 307, 504 and 302 of the Indian Penal Code.

The accusation is that, on 30.01.2016, the informant,  
Bablu Prasad, was going to Patna driving his Auto rickshaw, when  
he reached at the door of his neighbour, Lal Babu Rai, then Lal  
Babu Rai stopped the Auto rickshaw and started to abuse him. On  
protest, Lal Babu Rai called his sons and two brother-in-laws and  
thereafter they assaulted him, when his father, Sheo Lal, rushed to  
save then they also assaulted to his father through lathi, danda, fist  
and slaps. Lal Babu Rai also assaulted his father through bricks,  
who become unconscious. At that time, the wife of Lal Babu Rai



(petitioner), pull down his daughter on the ground by catching her hair. Later on, his father Sheo Lal was rushed for treatment to N.M.C.H., Patna, where he died.

Learned counsel for the petitioner submits that, in fact, petitioner is the wife of co-accused, Lal Babu Rai, due to that reason she has falsely been implicated in this case due to ulterior motive. It is further submitted that petitioner has no criminal antecedent.

Considering the aforesaid submissions, let the above named petitioner be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna, in connection with Gopalpur P.S. Case No. 12 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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