

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36312 of 2017

Arising Out of PS.Case No. -176 Year- 2016 Thana -KHARIK District- BHAGALPUR

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1. Mando Devi Wife of Suman Mandal Resident of Village : Yadav Tola,
Tulsipur, Police Station Kharik, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Sri Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-09-2017 Heard the parties.

This application is for grant of regular bail in connection with S.T.No.276 of 2017 arising out of Kharik P.S.Case nO.176 of 2016 , registered for the offences punishable under Sections 302 and 201 of the Indian Penal Code.

Allegation against the petitioner is that she took the grand daughter of the informant and thrashed her on the road, causing her death.

Submission of the learned counsel for the petitioner is that the materials has come that the petitioner is insane but in spite of that the petitioner has been held and she is in custody since 5.12.2016.



Heard learned A.P.P. also.

Having heard both sides and from perusal of the impugned order it appears that plea has been taken that she is an unsound mind lady and without holding any proper enquiry about it, her application has been rejected.

In such view of the matter, the court of learned 1st Additional District and Sessions Judge, Naugachia is directed to examine the lady under the provisions of Chapter XXV of Code of Criminal Procedure, if there is fact that she is of unsound mind, he will proceed according to provisions made in Chapter XXV 25 of Code of Criminal Procedure.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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