

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17866 of 2017

Arising Out of PS.Case No. -99 Year- 2007 Thana -RAJAULI District- NAWADA

=====

Rita Devi, Wife of Ashok Das, D/o Anuj Das, resident of village - Bijawan,
P.S. Rajauli, Distt. – Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gauri Shankar Prasad, Advocate.

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

5 19-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends her arrest in connection
with Rajauli P.S. Case No. 99 of 2007 registered under Section
302/34 of the Indian Penal Code.

The accusation is that, on 20.08.2007, quarrel took
place in between Chinta Devi, wife of the informant and Pariya
Devi, wife of Anuj Das. Thereafter, Anuj Das, Ashok Das, Pariya
Devi, Rita Devi (petitioner) and Dukhni Kumari along with others
came at the house of the informant with lathi, stones and bricks
and started to assault the wife of the informant. When Upendra
Das, son of the informant, rushed to save his mother, wife of the
informant then he was also assaulted by them. In the meantime,
petitioner, caused injury through bricks at the chest of wife of the
informant, who died at the spot.



Learned counsel for the petitioner submits that it would appear from the F.I.R. that informant is not the eye witness to the occurrence. While he stated that this petitioner caused injury at the chest of Chinta Devi, wife of the informant in his fradbeyan but he has stated in his re-statement that the injury was caused at his wife by Pariya Devi through bricks. Upendra Das, son of the informant, who was present at the place of occurrence, also stated in his statement that Pariya Devi caused injury at the chest of his mother through bricks, which is detailed in paragraph 14 of the case dairy. Further submission is that petitioner being lady has no criminal antecedent.

Having regard to the facts and circumstances of the case, 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 Additional Chief Judicial Magistrate-VI, Nawada, in connection with Rajauli P.S. Case No. 99 of 2007, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

