

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47306 of 2017

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

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1. Sanju Devi W/o Vijay Yadav, R/o Village- Padum Chak, P.S.-
Barachatti, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 10-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Barachatti P.S.
Case No. 166 of 2015 for offences punishable under Sections 147,
148, 149, 447, 341, 323, 307 and 504 of the Indian Penal Code
and later on Section 302 of the IPC added.

The prosecution case, as lodged by the informant, is
that due to land dispute, co-accused Vijay Yadav assaulted her
husband on head, thereafter, co-accused Charitra Yadav also
assaulted her husband on head by means of *Lathi*. The petitioner
along with two other ladies assaulted on the whole body of the
informant's husband.

It has been submitted by the learned counsel for the



petitioner that she is innocent, bears no criminal history and the matter relates to civil dispute between the parties. He submits that cause of death was head injury and there is no allegation upon the petitioner of hitting on the head of the deceased. He submits that two other ladies on similar allegations have been granted the privilege of bail by a co-ordinate bench of this Court in Cr. Misc. No. 24102 of 2016 on 14.07.2016 and that the petitioner is languishing in judicial custody since 17.06.2017. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, (Gaya), in connection with Barachati P.S. Case No. 166 of 2015 subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner will 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 the privilege of bail.

(Nilu Agrawal, J)

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