

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42563 of 2017

Arising Out of PS.Case No. -73 Year- 2017 Thana -SUIYA District- BANKA

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1. Champa Devi, Wife of Devendra Yadav, Resident of Village-Kauwadah,
P.S.-Suiya, District-banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Ram Sumiran Roy

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 07-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
29.06.2017 in connection with Suiya P.S. Case No. 73/2017 for
offences punishable under Section 307 and other allied Sections of
the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he was picking manure in his field along with his two
sons, the petitioner along with others came and started abusing and
all of them threw acid on the informant and his two sons, on which
one of the sons of the informant received serious injury.

It has been submitted by the learned counsel for the



petitioner that she is innocent, bears no criminal history and the present case is a counterblast to the case lodged by the petitioner bearing Suiya P.S. Case No. 74 of 2017 wherein both sides, who are agnates, have been injured and have a civil dispute between them. He submits that although there is allegation of throwing acid on the informant's side but specific allegation is upon Tuntun Yadav and Nitish Kumar and that petitioner is a lady and languishing in judicial custody for more than four months.

However, learned APP for the State opposes the prayer for bail stating therein that petitioner along with others has poured acid on the informant and his two sons.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of six months in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-I, Banka, in connection with Suiya P.S. Case No. 73 of 2017, subject to the following conditions :

- (i) Both the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the



petitioner.

- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of her bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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