

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48394 of 2017

Arising Out of PS.Case No. -459 Year- 2017 Thana -MADHEPURA District- MADHEPURA

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Lalita Devi, Wife of Late Ganga Yadav, Resident of Village- Manahara,
Ward No.10, P.S. & District- Madhepura.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Madhav Jha, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudahry, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 16-10-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Madhepura P.S. Case no. 459 of 2017, registered under Section 302/34
of the Indian Penal Code.

The accusation is that in course of playing Prince Kumar
aged about 21 months son of the informant Sunita Devi moved at the
house of Lalita Devi maternal grand mother of her husband Dilip
Yadav, where under conspiracy Randhir Yadav and Kamal Yadav
caught hold the Prince Kumar and petitioner Lalita Devi pressed his
neck. It is alleged that informant reached there and tried to rescue her
son, but she was assaulted by the accused persons. When informant
made alarm then neighbours arrived there but by that time her son was
died.

Learned counsel for the petitioner submits that it would



appear from the F.I.R. itself that petitioner is the cousin step grandmother of the husband of the informant and due to some dispute the petitioner has falsely been implicated in this case, while informant has claimed to see the occurrence of pressing the neck of her son aged about 21 months, but in the Post-mortem caused of death shown as asphyxia due to drawing. Further submission is that, in fact, in course of playing the son of the informant, who was aged about 21 months reached near the handpump and fell down in the dirty water tank, but with ulterior motive the petitioner and two others have been implicated in this case.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of four 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, Madhepura in connection with Madhepura P.S. Case No. 459 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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