

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56641 of 2017

Arising Out of PS.Case No. -116 Year- 2016 Thana -MAHESHKHUNT District- KHAGARIA

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Bibha Devi, Wife of Yogendra Yadav, Resident of Village- Vidyarthi Tola,
Pakrail, P.S.- Maheshkhut, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 07-12-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends her arrest in connection with
Maheshkhut P.S. Case No.116 of 2016/G.R. No.2650 of 2016
registered under Sections 302/34 of the Indian Penal Code.

The accusation is that in the evening of 16.12.2016, the
informant carried the bamboo, after cutting from the bamboo
clamp, to his house in which there was also share of Yogo alias
Yogendra Yadav. Thereafter, Yogendra Yadav, his wife Bibha
Devi (petitioner), sons Randhir Yadav and Pankaj Yadav started to
cause assault Sintu Yadav, the brother of the informant, through
lathi and Khanti due to which he died. While the informant



chased to catch hold of them but all fled away.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that four persons, named in the F.I.R., including the petitioner caused assault to Sintu Yadav, the brother of the informant, through lathi and Khanti but, in the post-mortem examination of Sintu Yadav, the brother of the informant, only one injury near his left ear in the dimension of 4" X 4" was found. In fact, the petitioner being the wife of the co-accused Yogendra Yadav has falsely been implicated in this case. The petitioner, who is lady, has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender by her within six weeks from today, be enlarged on bail on her furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria, in connection with Maheshkhut P.S. Case No.116 of 2016/G.R. No.2650 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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