

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10035 of 2017

Arising Out of PS.Case No. -426 Year- 2016 Thana -UDWANTNAGAR District- BHOJPUR

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Anita Devi Wife of Birendra Giri @ Began Giri, Resident of Village-
Jaitpur Mathiya, P.S.- Udwant Nagar, District- Bhojpur at Ara (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 06-04-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Udwant Nagar
P.S. Case No. 426 of 2016 registered for the offences punishable
under Sections 147, 148, 149, 302 of the Indian Penal Code.

Allegedly, when Dashrath Giri was returning with paddy
bundle from his field and reached near village canal bridge, the
petitioner along with other co-accused armed with lathi-danda etc.
brutally assaulted him at the instance of Basudev Giri resulting his
death.

Submission is of false implication and that the petitioner is
a lady, there is no specific allegation against her, the allegations
are omnibus and general in nature, there is case and counter case,
this case is the counter blast of Udwant Nagar P.S. Case No. 396



of 2016 lodged by the petitioner against the informant and her relative including the deceased, the informant is not an eye witness of the occurrence, the petitioner is in custody since 14.12.2016, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner deserves sympathetic consideration.

Learned APP submits that the petitioner is also involved in the occurrence.

In the facts and circumstances stated above, considering the gender of the petitioner, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Udwant Nagar P.S. Case No. 426 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall 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 privilege of bail.

(Jitendra Mohan Sharma, J)

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