

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15812 of 2018

Arising Out of PS. Case No.-159 Year-2003 Thana- RANIGANJ District- Araria

Sudha Devi, W/o Mahavir Rishidev, Resident of Village- Jamunia Tola
Bistoria, P.S.- Raniganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Sri S.M. Rahman

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-04-2018 Heard the learned counsels for the petitioner
and the State.

The petitioner seeks bail in anticipation of her arrest in connection with Raniganj P.S. Case No. 159 of 2003 which though was instituted under Sections 341, 323, 302/34 of the Indian Penal Code but, later the police submitted charge sheet under Sections 341, 323, 504 and 34 of the Indian Penal Code. However the learned Magistrate has taken cognizance under Section 304 of the Indian Penal Code.

It appears that the daughter of the informant had fought with some other persons and the petitioner and others came inside the house of the informant and assaulted his daughter. On protest by the informant, he too was assaulted by the accused persons. Later the daughter of the informant died.

Learned counsel for the petitioner has submitted that there was no intention on the part of the



petitioner to have caused the death of the deceased. It was a fight between children of two houses which led the elders also to enter into the fray. There is general and omnibus allegation against this petitioner along with others of having caused injuries to the deceased, which led to her death.

Considering the aforesaid circumstances the other accused persons of this case have been granted anticipatory bail by a Bench of this Court on 28.11.2017 passed in Cr. Misc. No. 12932 of 2017.

Regard being had to the aforesaid facts as also taking into account that the petitioner is a lady, she is directed to be released in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on her furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Araria in connection with Raniganj P.S. Case No. 159 of 2003, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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