

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17182 of 2018

Arising Out of PS.Case No. -444 Year- 2017 Thana -AMARPUR District- BANKA

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Sweeti Kumari, Daughter of Sri Ashok Kumar Yadav, Resident of Village-
Sihuri, P.S.- Amarpur, District- Banka.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

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

ORAL ORDER

2 10-04-2018 Heard the learned counsel for the petitioner, the

learned A.P.P. for the State as also the learned counsel for the

informant.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Amarpur P.S. Case No.
444 of 2017 for the offences punishable under sections 341, 323,
307, 379, 504/34 and 302 of the I.P.C.

Allegedly, in the occurrence the petitioner and co-
accused Anita Devi were abusing the informant and thereafter
other co-accused assaulted the informant by means of lathi and got
her finger fractured and thereafter at the instigation of Lakshman
Yadav all started assaulting the informant and further the
petitioner and Anita Devi got the informant down by catching her



hair and snatched gold chain, later on Jhhuna Devi succumbed to the injury.

Submission is of false implication and that at best it can be a case under section 304 of the I.P.C, there is case and counter case bearing Amarpur P.S. Case No. 443 of 2017, the deceased Jhhuna Devi died due to natural death which has come in the postmortem report, co-accused Anita Devi has been allowed bail vide Cr. Misc. No. 55593 of 2017 by order dated 30.11.2017 and it has been held in the order that the death of the deceased was natural due to heart disease and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioner by submitting that during investigation witnesses have supported the allegation of assault by the petitioner also.

In the facts and circumstances stated above, considering the postmortem report and further the allegation attributed against the petitioner, she, in case of his arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M,



Banka in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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