

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10008 of 2019

Arising Out of PS. Case No.-332 Year-2018 Thana- DHAMDAHA District- Purnia

BABITA DEVI aged about 45 years (Female) Wife of Bhikhari Sah Resident
of Village - Nirpur Baran, P. S. Dhamdaha, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Uday Singh

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-02-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Dhamdaha P.S. Case No. 332 of 2018, registered for the
offence punishable under Sections 147, 149, 341, 342, 323
and 302 of the Indian Penal Code.

The allegation is regarding the husband of the
informant being assaulted by the accused persons and as far
as the co-accused, namely, Md. Akram is concerned, he is
stated to have closed the nose and mouth of the husband of
the informant and then, thrashed him while the co-accused,
namely, Md. Anamul had sat on the chest of the husband of
the informant and pressed his neck resulting in injuries to the
husband of the informant, which further caused his death
subsequently. As far as the petitioner is concerned, she is



stated to have pressed the Hydrocele of the husband of the informant.

The learned counsel for the petitioner submits that the petitioner is a lady, having a clean antecedent and the cause of death as per the postmortem report, which is throttling and Trachea broken at the level of Thyroid cartilage, is not attributable to the petitioner herein as is clear from the allegations levelled in the F.I.R., hence, the petitioner should be granted the privilege of bail, especially since the main accused are Md. Akram and Md. Anamul and others. The petitioner is stated to be languishing in custody since 17.11.2018.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea in connection with Dhamdaha P.S. Case No. 332 of 2018.

(Mohit Kumar Shah, J)

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