

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16686 of 2019

Arising Out of PS. Case No.-101 Year-2017 Thana- BHAGWANGANJ District- Patna

Sheela Devi, Wife of Raj Kumar Yadav Resident of Village- Hasanpura, P.S.-
Bhagwanganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan Singh

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 25-06-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends her arrest in connection
with Bhagwanganj P.S. Case no. 101 of 2017, registered under
Sections 341, 323, 307/34 and 302 of the Indian Penal Code.

The accusation is that on 19.11.2017, informant
Ganesh Yadav was talking with his uncle Laxmi Narayan
Yadav, mother Manorma Devi and his wife outside the house,
at that time, Raj Kumar Yadav his wife Sheela Devi
(petitioner), and Sunny Deo armed with Lathi came there and
started to cause assault to Laxmi Narayan Yadav and Manorma
Devi, uncle and mother of the informant, while Laxmi Narayan
Yadav rushed to Sub-divisional Hospital, Masaurhi from where
he was referred to PMCH, Patna, where he died.



Learned counsel for the petitioner submits that petitioner is wife of co-accused Raj Kumar Yadav. Further submission is that, in fact, occurrence of Marpit took place in between the family members of the informant and her husband Raj Kumar Yadav and Sunny Deo in which family members of the petitioner has also sustained injury regarding which Bhagwanganj P.S. Case No. 102 of 2017 was instituted on 19.11.2017, under Section 341, 323, 325 and 504/34 of the Indian Penal Code on the basis of fardbeyan of Sunny Kumar against informant and others of the present case. But, with ulterior motive, the petitioner, who is lady, has falsely been implicated in this case. Moreover, only two injuries were found on the person of deceased, which would appear from Postmortem out of which one lacerated injury 2 ½ "X1/2" bone deep on the right side of head and other is abrasion of 1/2"X1/2" on right knee and injury as found on the person of Manorama Devi is of laceration in nature 1/2"X1/2" at the back of neck simple in nature. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below



within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate, Masaurhi, Patna in connection with Bhagwanganj P.S. Case No. 101 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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