

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13288 of 2019

Arising Out of PS. Case No.-45 Year-2018 Thana- DUMARIYA District- Gaya

ANARWA DEVI, Wife of Surendra Yadav, Resident of Village - Adarchak,
P.S. Dumaria, Dist- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.S. Jamil Akhtar

For the Opposite Party/s : Mr.Bharat Bhushan (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 08-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
26.11.2018 in connection with Dumariya P.S. Case No. 45 of
2018 for offences punishable under Section 302 and other allied
Sections of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that the petitioner along with 10 others started abusing and when
his wife Samundri Devi objected, all the accused persons armed
with knife, *barcha*, *tangi* and *lathi* assaulted his wife, informant
and other family members, resultantly wife of the informant
died.

It has been submitted by the learned counsel for the
petitioner that she is innocent, bears no criminal history and



general and omnibus allegations has been levelled against her. He submits that one of the co-accused on similar allegations has been granted the privilege of bail by a co-ordinate Bench of this court in Cr. Misc. No. 753 of 2019 vide order dated 06.02.2019, on the observation that as per the postmortem and inquest report only one stab injury has been stated which was the cause of death. He further submits that the petitioner being a lady has been falsely implicated.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Sherghati, Gaya, in connection with Dumariya P.S. Case No. 45 of 2018, subject to the following conditions :

1. One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
2. Petitioner will appear before the learned court below



during trial as and when required and failure to appear
on two consecutive dates without assigning any reason
will entail cancellation of her bail bonds.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

