

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20071 of 2019**

Arising Out of PS. Case No.-102 Year-2018 Thana- HAYAGHAT District- Darbhanga

Anjila Devi, W/o Ram Pukar Yadav, Resident of Mohalla/Village-Akraha,
P.S-Hayaghat, District-Darbhangha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha

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

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 03-04-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 12.11.2018 in a case registered for the offence punishable under Section 302/34 of the I.P.C.

The prosecution case as per the written report of Shakunti Devi submitted to the SHO, Hayaghat Police Station is to the effect that fifteen days prior to the alleged occurrence, the son of the informant cut a Sisham tree and brought to his house, on which, the husband of the petitioner said that it belongs to him and a hot altercation took place between the two. It is further alleged that on 10.11.2018, suddenly the petitioner and husband of the petitioner started abusing the son of the informant and



asked him to give the price of the Sisham tree, which belongs to them. Thereafter, son of the informant suggested for the measurement by Amin, whereupon, the husband of the petitioner assaulted on the head of the deceased with a bamboo, as a result, he fell down and succumb to injuries. It is further alleged that the petitioner instigated his husband to kill the son of the informant.

It is submitted by learned counsel for the petitioner that the accusation of assault is against the husband of the petitioner, who is still in custody. It is further submitted that investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned counsel for the informant submits that the petitioner instigated his husband to kill the son of the informant and she is named in the FIR.

Considering the fact that thrust of accusation is against the husband of the petitioner, petitioner being a lady and the investigation already being concluded, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named 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 the learned **ACJM-IV, Darbhanga** in connection with **Hayaghat P.S. Case No.102 of 2018.**

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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