

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56087 of 2019

Arising Out of PS. Case No.-93 Year-2019 Thana- BIRPUR District- Supaul

Manor Devi, female, aged about 50 years, w/o of Late Bijay Sad, resident of Village - Kattaya, Ward No. 2, P. O.- Sitapur Balua Bazar, P.S.- Birpur, District- Supaul

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Amrit Abhijat, Advocate
For the State	:	Mr. Md. Arif, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 18-12-2019

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Birpur P S Case No. 93 of 2019 dated 25.04.2019 instituted under Sections 302/34 of the Indian Penal Code.

3. The petitioner, being the wife, is accused of herself and her two sons assaulting the deceased.

4. Learned counsel for the petitioner submitted that the allegation against her is only of hitting the deceased by broom which cannot be considered to be any crime. It was further submitted that she is a lady and in custody since 25.04.2019.



5. Learned APP, from the case diary, submitted that the fact that deceased died of rupture in the intestine for which the petitioner being the wife and her two sons neither informed nor lodged FIR itself shows their complicity. It was further submitted that the elder brother of the deceased had lodged the FIR and there is no explanation as to why being the wife and her two sons did not do so. It was submitted that the allegation is of brutally assaulting the deceased.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

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