

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78600 of 2018

Arising Out of PS. Case No.-295 Year-2018 Thana- BANIAPUR District- Saran

Jayatra Devi wife of Shiv Kumar Mahto, Resident of Village- Berui, P.S.
Baniyapur, District- Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gaurav Kumar, Adv.

For the Respondent/s : Mr. Narendra Kumar Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 15-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Baniyapur P.S. Case No. 295 of 2018
registered for the offences punishable under Sections 341, 323,
302, 504, 506/34 of the Indian Penal Code.

Informant has alleged that while he was talking
with his brother his niece Varsha Kumari screamed and they
saw F.I.R. named accused including petitioner fleeing away
from their house and when they went into their house, he found
his wife seriously injured and profusely bleeding and she was
taken to hospital where she was brought dead.

It has been submitted on behalf of the petitioner
that she is lady of old age having several medical problems and



has been falsely implicated in this case due to land dispute with petitioner. Petitioner is in custody since 01.10.2018.

Considering the fact that petitioner is a lady having no criminal antecedent be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XIth , Saran at Chapra, in connection with Baniyapur P.S. Case No. 295 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and her absence on two consecutive dates without sufficient reasons, her bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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