

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5045 of 2020

Arising Out of PS. Case No.-193 Year-2019 Thana- MANIGACHI District- Darbhanga

BEENA DEVI W/o Damodar Yadav Resident of Village - Bahuarwa, P.S.-
Manigachi, Dist.- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar
For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 28-05-2020 Heard Mr. Awadhesh Kumar, learned counsel for the
petitioner.

The petitioner, who is in custody since 15.09.2019 seeks bail in connection with Manigachi P.S. Case No 193 of 2019 dated 15.09.2019 instituted for the offences under Sections 302, 120-B and 34 of the Indian Penal Code.

The son of the deceased has lodged the First Information Report stating that he was informed by the villagers that his father was being assaulted by the petitioner and two others. On this information, the informant is said to have reached the house of one Damodar Yadav, where he found that his father was being assaulted by Raushan Yadav, Fuldeo Yadav and the petitioner. It has also been alleged that while his father was being assaulted, the petitioner was talking with her husband on mobile phone.



Learned counsel for the petitioner has submitted that an absolutely false case has been instituted against the petitioner, who has no animus against the deceased. Apart from this, it has been submitted that had the petitioner participated in killing of the deceased, she would not have waited in her house to be arrested. The petitioner is said to have been arrested from her house on the very day of the occurrence. Apart from this, it has also been submitted that when the informant came to learn about the implication of the petitioner, he filed an application before the court below indicating that he had no suspicion against the petitioner and that his father appears to have been killed by some unknown person.

Regard being had to the afore-stated facts and the period of custody of the petitioner as well as her gender, she is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -V, Darbhanga in connection with Manigachi P.S. Case No 193 of 2019.

(Ashutosh Kumar, J)

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