

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12763 of 2020

Arising Out of PS. Case No.-348 Year-2019 Thana- MAKHDUMPUR District- Jehanabad

SONAMATI DEVI, wife of Late Suresh Yadav Resident of Village -
Makarpur, P.S. Makhdumpur, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 01-07-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner apprehends her arrest in connection
with Makhdumpur P.S. Case no. 348 of 2019, registered under
Section 302/34 of the Indian Penal Code.

The accusation is that after performing last rituals
of Suresh Yadav, father of informant Krishna Yadav, the
informant came to know, on accounting, that he had expended
Rs. 10,000/- more than his two brothers, namely, Rajesh Kumar
and Shrawan Kumar, but, in spite of passing over four months
and in spite of much requests, they did not pay the due amount.
Due to that reasons, on 04.08.2019, Shrawan Yadav, Rajesh
Kumar, Sonamati Devi (Petitioner), Surbind Yadav, Dinesh
Yadav, Ramjee Yadav and Ajit Kumar came in his courtyard



variously armed with weapons and started to abuse to his wife and to cause assault, then Manish Kumar, son of brother in law of the informant, Priti Kumari, Kavita Kumari and Rajeev Kumar, daughters and son of informant, rushed to save then all started to cause assault them. At that time, Shrawan Yadav gave Garansa blow at his son, who become seriously injured and rushed to PHC Makhdumpur with the help of villagers from there he was referred to Sadar Hospital, Jahanabad and from where he was referred to PMCH, where he died in course of treatment.

Learned counsel for the petitioner submits that admittedly, the petitioner is mother of the informant as well as co-accused Rajesh Kumar and Shrawan Kumar and she has been made accused with bad intention. Further submission is that it would appear from the F.I.R. that Shrawan Kumar, another son of petitioner, is the assailant of the deceased and petitioner used to reside with him due to that reason, she has falsely been implicated in this case. The petitioner, who is lady, has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below



within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Jehanabad in connection with Makhdumpur P.S. Case No. 348 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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