

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19641 of 2020

Arising Out of PS. Case No.-66 Year-2020 Thana- DHANAHA District- West Champaran

KISMATI DEVI (Female), aged about 60 years, W/o Madan Kushwaha,
Resident of Village- Barawa Sahaj Tola, P.S.- Dhanaha, District- West
Champaran.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Usha Kumari 1, Advocate
For the State	:	Mr. Vinod Kumar No.3, APP
For the Informant	:	Mr. Anand Kishore Choudhary, Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 25-06-2020 Heard learned counsel for the parties through
virtual Court proceeding.

In this case, the petitioner is seeking regular bail in
connection with Dhanaha P.S. Case No.66 of 2020, registered
for the offence under Sections 341, 323, 324, 307, 302, 504,
120B and 34 of the Indian Penal Code.

Allegation has been made that on 21.03.2020 the
informant along with his son namely Harkesh Chauhan @
Pappu Chauhan proceeded towards Bashahiya with his tractor
loaded with sugar cane and after unloading the tractor at
Bashahiya while they returning, the accused namely, Pahwari
Kushwaha and Hariom Kushwaha came and surrounded the
tractor. When the informant asked why they were blocking their



way, in the meantime, eight persons boarded on four motorcycles holding different weapons came there and started assaulting the informant and his son by different weapons. It has also been alleged that accused Dharmendra Kushwaha and Binod Kushwaha assaulted on the head of the informant's son, as a result of which, he fell down on the ground and became unconscious and thereafter petitioner told the accused persons to kill the informant and his son but, in the meantime the villagers came and took the informant and his son to the Hospital where the son of the informant succumbed to his injuries.

Learned counsel for the petitioner submits that only allegation has been made against this petitioner that she told the accused persons to kill the informant and his son. He further submits that the petitioner has not actively participated in the commission of crime. He also submits that the petitioner is an old lady aged about 60 years and she is in jail since 22.03.2020.

Considering the fact that the petitioner is an old lady aged about 60 years and she is in custody since 22.03.2020 as also the fact that she has not actively participated in the crime, let the above named petitioner be enlarged 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



S.D.J.M., Bagaha, West Champaran, in connection with
Dhanaha P.S. Case No. 66 of 2020.

(Shivaji Pandey, J)

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