

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30931 of 2020

Arising Out of PS. Case No.-89 Year-2020 Thana- DURAULI District- Siwan

KABUTARI DEVI W/O- Rajendra Manjhi Resident of Village - Chakari, P.S.
- Darauli, District – Siwan. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey
For the Opposite Party/s : Mrs Sangita Sharma, APP
For the Informant : Mr. Gaurav Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-11-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove
the defects, as pointed out by the Office, within a period of four
weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned APP
for the State. A supplementary affidavit has been filed on behalf of
the petitioner seeking correction in paragraph 3 of the bail
application. The same be kept on record.

The petitioner seeks bail in a case instituted for the
offences under Sections 341, 323, 324, 325, 307, 379, 504, 506, 34 of
the Indian Penal Code in which section 302 IPC was added later on.

The prosecution case in short is that the accused persons,
variously armed assaulted the informant due to which he sustained



injury and later died during treatment.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.5.2020. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner is a lady. The petitioner has been implicated in the present case due to previous enmity. On the earlier occasion also, a case was instituted between the parties. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The petitioner has been made accused for oblique reasons. Specific allegation of assault is alleged against co-accused Raju Manjhi.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Darauli P.S. Case No. 89/2020.

(Sudhir Singh, J)

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