

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35518 of 2020

Arising Out of PS. Case No.-37 Year-2020 Thana- DANDKHORA District- Katihar

KALAWATI DEVI Wife of Dipak Kumar @ Dipak Kumar Sharma Resident
of Village- Ragheli, P.S.- Dandkhora, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Opposite Party/s : Mr.S.Ehtesamuddin, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-12-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Dandkhora P.S. Case No.

37 of 2020, registered for the offence punishable under Sections

302, 34 of the Indian Penal Code.

As per prosecution case, on 19.04.2020 at about 8.30

am, the accused persons including this petitioner assaulted the

father of informant by leg and fists, due to land dispute and

during course of treatment, he died.

It is submitted on behalf of the petitioner that

petitioner has falsely been implicated in this case. There is

general and omnibus allegation. Petitioner is a lady. As per

postmortem report, it appears that deceased died due to impact



of hard and blunt substance. Charge sheet has been submitted. Petitioner is in custody since 20.04.2020 having no criminal antecedent, as stated in para 3 of the petition.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to 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 Chief Judicial Magistrate, Katihar in connection with Dandkhora P.S. Case No. 37 of 2020, subject to following conditions:-

(i) The 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 the Court and in the event of failure on two consecutive dates without sufficient reasons, her bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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