

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13240 of 2021

Arising Out of PS. Case No.-549 Year-2019 Thana- KUDHNI District- Muzaffarpur

Yashoda Devi, aged about 35 years (Female) W/o Ram Pravesh Bhagat
Resident of Village - Mohanpur, P.S.- Kurhani, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Adv.
For the Opposite Party/s : Mr. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 05-10-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for short 'APP') for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

The petitioner seeks bail in Kurhani PS Case No. 549 of 2019, instituted for the offence under Sections 302, 328, 341, 323, 504/34 of the Indian Penal Code.

It is alleged that informant's brother-in-law has been done to death by the family members, including the petitioner, who happens to be the '*Gotani*' of the informant's sister.

The counsel for the petitioner submits that she has been implicated in this case merely on suspicion. Being a lady she is



behind the bar since 14.10.2020. In support of her plea of separation with the other co-accused persons, she has annexed photo copy of Panchnama (Annexure-2), wherein the co-accused are signatories. He further submits that there is delay in lodging of the F.I.R. and the implication is based on hostile terms within the family.

The learned APP representing the State has opposed the prayer for bail. It is submitted that death has occurred due to poisoning.

Considering the rival submissions as also the facts and circumstances of the case, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner, above named, be released 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 Additional Chief Judicial Magistrate -1st, West, Muzaffarpur, in connection with Kurhani P. S. Case No. 549 of 2019, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to



inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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