

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26315 of 2021

Arising Out of PS. Case No.-472 Year-2020 Thana- BHAGWAN BAZAR District- Saran

PRIYANKA DEVI W/O CHANDAN KUMAR CHOUDHARY @
CHANDAN CHOUDHARY R/o Mohalla- Shiv Bazar, P.S.- Bhagwan Bazar,
District- Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 29-07-2021 Heard learned counsel for the petitioner and the State.
- Petitioner seeks regular bail in a case registered for the offence punishable under Section 302/34 of the Indian Penal Code.
- As per the prosecution case, the petitioner and her husband, Chandan Choudhary abused the husband of informant. The petitioner gave knife to her husband who inflicted knife blow on the husband of informant and thereafter they fled away. During the course of treatment husband of informant died.
- Learned counsel appearing for the petitioner submits that there is no specific allegation of assault against this petitioner and the specific allegation of assault is against co-accused, Chandan Choudhary, husband of the petitioner. The petitioner is only



alleged to have abused the husband of informant and gave knife to her husband. Petitioner is in custody since 16.10.2020 and the investigation is completed.

Learned counsel appearing for the State and the informant opposed the prayer for bail. Learned counsel for the informant submits that petitioner was having clear intention and she gave knife to her husband who inflicted knife blow on the husband of informant.

Considering the facts of the case, the period of custody of the petitioner and the fact that petitioner is a lady and no overt act is alleged against the petitioner, 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 Additional Chief Judicial Magistrate-I, Saran at Chapra in connection with Bhagwan Bazar PS case No. 472/2020 on the following conditions:-

(1) 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 on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

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