

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33841 of 2021

Arising Out of PS. Case No.-172 Year-2019 Thana- KAUWAKOL District- Nawada

Sroja Devi @ Sunita Devi @ Saroja Devi Wife Of Om Prakash Yadav R/O
Village- Domuhan, P.S.- Kawakole, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar- Advocate

For the Opposite Party/s : Ms. Meena Singh- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 07-12-2021 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Kawakole
P. S. Case No.172 of 2019, instituted for the offences under
Sections 341, 323, 307, 504, 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 07.01.2021, she is a person with
clean antecedent, charge-sheet has been submitted in this case
and petitioner is a lady.

The learned counsel for the petitioner submits that
from perusal of the allegation as alleged in the F.I.R., it would
manifest that the informant alleges that on 17.06.2019 at about
4.00 P.M., an altercation took place between the informant's
wife and wife of informant's brother Om Prakash Yadav namely,



Saroja Devi (petitioner).

It is next alleged that when the altercation was taking place at that time, neither the informant nor his brother were present in the house, but had just come. It is further alleged that the brother of the informant was standing at the door with lathi in his hand and on the orders of Saroja Devi (petitioner), he ran to assault the informant, but informant fled away. It is further alleged that this petitioner thereafter went on the roof and started pelting stones in the street to which her father-in-law objected and even went outside the house to untie she-buffalo to save the animals from pelting stones. On this, it is alleged that she became angry and came down from the roof and assaulted his father-in-law with bricks on his head causing head injury and thereafter, her husband started assaulting his father by means of lathi on account of which father became unconscious and when people came, the father was referred to hospital at Pawapuri from where he was referred to Ranchi in unconscious condition.

The learned counsel for the petitioner submits that the father-in-law of this petitioner died two weeks after the treatment in the hospital at Ranchi, which amply demonstrates that the occurrence was not the cause of death of the father-in-



law of the petitioner. Learned counsel for the petitioner further submits that allegation against this petitioner is of assaulting the father-in-law by brick, when the assault was made by her husband and the informant taking advantage even implicated this lady petitioner.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody since 07.01.2021, she is a person with clean antecedent, charge-sheet has been submitted, petitioner is a lady and assault is attributed mainly on the son of the deceased, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Nawada in connection with Kawakole P. S. Case No.172 of 2019.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

