

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40226 of 2021

Arising Out of PS. Case No.-24 Year-2020 Thana- SIDHWALIYA District- Gopalganj

Chhathiya Devi Wife of Manager Bin Resident of Village- Rampur, P.S.-
Sidhwaliya, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rajesh Ranjan
For the Opposite Party/s :	Mr.Amit Kumar Rakesh
	Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 07-10-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Sidhwaliya P.S. Case No. 24 of 2020, registered for the offence under Section 302 and 34 of the Indian Penal Code.

The allegation, as per First Information Report, against petitioner and other co-accused persons is that they abused and assaulted the husband of informant by lathi and danda, due to which, the husband of informant died during course of treatment.

The petitioner is mother of the deceased. There is general and omnibus allegation and no specific overt act has been alleged against this petitioner. It is further submitted that due to family feud, a scuffle took place between the parties and in the altercation, the deceased died. Petitioner is in custody since 25.02.2021.



Learned counsel for the State and informant vehemently opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned Judicial Magistrate 1st Class, Gopalganj in connection with Sidhwaliya P.S. Case No. 24 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on her absence on two consecutive dates without sufficient reason, 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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