

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31968 of 2020

Arising Out of PS. Case No.-50 Year-2020 Thana- PIRO District- Bhojpur

Sonmatiya Devi, Wife of Hirdiya Mushar Resident of Village- Chaturbhuj
Barao, P.S.- Piro, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Priya Sharan Singh- P.P. Incharge

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 18-01-2021 Heard learned counsel appearing for the petitioner

as well as learned Additional Public Prosecutor appearing

for the State.

Petitioner is in custody since 19.05.2020 and seeks
bail in connection with Piro P. S. Case No.50 of 2020
registered for the offences punishable under Sections 147,
149, 302, 447 and 448 of the I.P.C.

According to written report of informant,
petitioner and three named as well as two-three unknown
persons assaulted the informant's mother and sat on her
chest as a result of which, she died.

However, in course of investigation, the informant



reiterated the content of written report and, furthermore, the wife of informant also stated about the involvement of petitioner and some others. The post mortem report of the deceased was received by the Investigating Officer on 28.02.2020. The post mortem report of deceased goes to show that only one rib of the deceased was found fractured. After receipt of the post mortem report of deceased, the Investigating Officer recorded the statement of daughter of deceased at Para-29 of the case diary and the daughter of the deceased claimed that only petitioner assaulted the deceased. The daughter of deceased has nowhere stated about the involvement of other F.I.R. named as well as unnamed accused persons.

Learned counsel for the petitioner submits that as a matter of fact, when I.O. got the post mortem report and noticed that only one injury was found on the person of the deceased, he manipulated the entire case and got recorded the statement of daughter of the deceased.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing



bail bonds of Rs.10,000/- (ten thousand) with two sureties
of the like amount each to the satisfaction of learned
Additional Chief Judicial Magistrate-V, Bhojpur, Ara in
connection with Piro P. S. Case No. 50 of 2020.

(Hemant Kumar Srivastava, J)

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