

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44672 of 2021

Arising Out of PS. Case No.-26 Year-2021 Thana- MADHUBAN District- East Champaran

Rina Devi Wife of Sukhari Sahani Resident of Village - Bahuara Bhan, P.S.-
Madhuban, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 03-11-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Madhuban P.S. Case No. 26 of 2021, registered for the offence under Section 302 & other ancillary sections of the Indian Penal Code.

As per the prosecution case, on 27.01.2021 at 8:00 PM, while the informant was sitting at his door, it is alleged that petitioner and other FIR named accused persons came there, armed with *lathi* and *danda*, and abused & assaulted the wife of informant on her head, due to which, she died on the place of occurrence. It is further alleged that the accused persons also assaulted informant and his daughter-in-law and injured them.

It is submitted on behalf of petitioner that due to land dispute between the parties, the alleged occurrence took place. There is no specific allegation against this petitioner of causing assault on deceased and other injured persons. There is general and omnibus allegation of assault against all the accused



persons. It is further submitted that as per *post-mortem* report, the cause of death is 'Cardio Pulmonary Arrest' due to chronic lungs and doctor has not found any *ante-mortem* injury on the person of deceased. Petitioner is a lady and she is in custody since 30.01.2021. Investigation is complete.

Learned A.P.P. for the State has 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, East Champaran, Motihari in connection with Madhuban P.S. Case No. 26 of 2021.

(Prabhat Kumar Singh, J.)

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