

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36097 of 2020

Arising Out of PS. Case No.-338 Year-2020 Thana- MADHEPURA District- Madhepura
=====

RINA DEVI wife of Bihari Swarnkar Resident of Village- Barahi, Ward No. 6, P.S.- Madhepura, District- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :
For the Petitioner/s : Mr.Dr. Sanjay Kumar Singh, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-04-2021 Heard the learned counsel for the petitioner and
the learned APP for the State.

The petitioner seeks bail in anticipation of her
arrest in connection with Madhepura P.S. Case No. 338 of
2020 instituted for the offences under Sections 302/34 of
the Indian Penal Code.

It is alleged in the First Information Report that
when a protest was made against the action of the petitioner
in throwing garbage in front of the shop of the informant,
the accused persons from the side of the petitioner came



and assaulted the mother of the informant, who died because of such assault.

Hence the prosecution case.

Learned counsel for the petitioner has submitted that there is no accusation of assault against the petitioner. Apart from this, it has been submitted that in the postmortem report no definite opinion could be arrived at with respect to cause of death as there was no external injury on the person of the deceased. Viscera though has been preserved for further analysis.

Regard being had to the background fact and the nature of accusation against the petitioner and taking into account her gender, the petitioner, above named, is directed to be released on bail, in the event of her arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Madhepura P.S. Case No. 338 of 2020,



subject to the condition laid down under Section 438 (2) of
the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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