

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36457 of 2020

Arising Out of PS. Case No.-22 Year-2020 Thana- DHANARUA District- Patna

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Kusum Devi, Aged about 42 years, Female, W/o Sharma Prasad, Resident of Village Dhamaul, Tola Khagri, P.S. Dhanarua, District Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 30-01-2021 Heard both sides.

Petitioner seeks bail in Dhanarua P.S. Case No.22 of 2020, corresponding to Sessions Trial No.345 of 2020, registered under Sections 323, 324, 325, 307, 302 and 34 of the Indian Penal Code.

The informant alleged that his own brother, Sharma Prasad came and assaulted him with lathi. Sarita Kumari, the daughter of the informant came to save the informant but Sharma Prasad also assaulted her with lathi causing fracture injury on her hand. Sharma Prasad went on the roof of his house and started pelting stones. His brother, Parma Prasad @ Daliya Prasad also came and the informant and his brother Parma Prasad went on the roof of Sharma Prasad but the accused persons assaulted the informant and his brother, Parma Prasad



on the order of Kusum Devi. Sharma Prasad and his son, Dhanesh Kumar fired causing firearm injury on Parma Prasad who died during the course of treatment.

Learned counsel for the petitioner submits that the petitioner is a lady. Informant is own brother of the husband of the petitioner and occurrence took place due to land dispute . The allegation of firing is against Sharma Prasad and his son Dhanesh. Petitioner is only order giver and for that the petitioner is in custody since 20.01.2020. Petitioner being the order giver has already remained in jail for more than one year.

Considering the facts aforesaid and the fact that the petitioner is a lady who being order giver is in custody since 20.01.2020, petitioner, namely, Kusum Devi is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J., Masaurhi in connection with Dhanarua P.S. Case No.22 of 2020, corresponding to Sessions Trial No.345 of 2020.

(Prabhat Kumar Jha, J)

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