

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 36599 of 2020**

Arising Out of PS. Case No.-94 Year-2020 Thana- NAANPUR District- Sitamarhi

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LEELA DEVI WIFE OF NAGENDRA THAKUR RESIDENT OF
VILLAGE- CHHOTI SAURIYA, P.S.- NANPUR, DISTRICT- SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Prabhat Kumar, Advocate

For the Opposite Party/s : Ms Meena Singh, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 30-01-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Nanpur Police Station (for
brevity, *PS*) Case No 94 of 2020, corresponding to GR No 421
of 2020 instituted on 31.03.2020 for the offence punishable
under Sections 302/34 of Indian Penal Code.

Three named accused persons, who are residing in
front of the informant's house, have allegedly assaulted the
informant's mother leading to her death while she was being
carried to the Hospital.

Learned counsel for the petitioner submits that in fact
a quarrel took place between the parties. In respect of the same,
there is also a counter version in Nanpur PS Case No 95 of



2020. The alleged occurrence is not corroborated by the medical report which shows only one injury whereas the allegation is of assault by three persons including the petitioner. In fact, the prosecution party were the aggressors. The petitioner has also sustained injuries in the occurrence and she, being a female member of the family, has been implicated on extraneous considerations. She is in custody since 01.04.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions and also the gender of the petitioner, prayer for bail is allowed. Let the petitioner, above named, be released on bail on her furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Pupri at Sitamarhi in Nanpur PS Case No 94 of 2020, corresponding to GR No 421 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on



each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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