

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37509 of 2020

Arising Out of PS. Case No.-08 Year-2020 Thana- SAKATPUR District- Darbhanga

SAVITA DEVI W/O RAJ KUMAR MANDAL RESIDENT OF VILLAGE -
UJAN SONPUR, P.S. - SAKATPUR, DISTRICT - DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Adv.
	:	Mr. Bhaskar Shankar, Adv.
For the Opposite Party/s	:	Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-04-2021 Heard Mr. Krishna Prasad Singh, learned counsel

for the petitioner and Mr. Ram Priya Sharan Singh, learned

APP for the State.

The petitioner seeks bail in anticipation of her arrest in connection with Sakatpur P.S. Case No. 08 of 2020 instituted for the offences under Sections 302/34, 341, 323 and 354 of the Indian Penal Code.

The informant, who is the wife of the deceased has alleged that she had gone to the office of the Aanganwadi Sevika viz Savita Devi (petitioner), wife of Raj Kumar Mandal for collecting her identity card. She was made to understand that her form had been rejected. When the informant is said to have demanded her money (Rs. Fifty)



back, she was abused by the petitioner and her husband Raj Kumar Mandal. The informant is said to have come back home and told this to her husband, who went to Raj Kumar Mandal to confront him regarding the aforesaid act of assaulting and abusing his wife. When the husband of the informant did not come for a long time, she came out in search of him and found that he was lying unconscious on the flank of the road. He is said to have told the informant that Raj Kumar Mandal, Savita Devi (petitioner) and others had assaulted him and had thrown him at that place. On her screams, many people of the locality came and took the husband of the informant to the hospital but on way, he died.

Learned senior counsel for the petitioner has submitted that according to the own showing in the F.I.R. by the informant, she had found her husband lying unconscious by the side of the road. In that event, the husband narrating the name of the petitioner also as one of the assailants cannot be accepted as the correct statement.

Five persons are said to have assaulted the



deceased but there is only one injury on his knee, which fact appears from the postmortem report.

Considering the afore-noted aspects of the matter, two of the accused persons of this case, namely, Rajkumar Mandal, the husband of the petitioner and Satya Narayan Mandal have been granted bail by a Bench of this Court.

Regard being had to the afore-stated facts, 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) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -VIII, Darbhanga, in connection with Sakatpur P.S. Case No. 08 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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