

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40161 of 2020

Arising Out of PS. Case No.-63 Year-2020 Thana- JANDAHA District- Vaishali

1. FULIYA DEVI W/o Dewan Manjhi R/o Village- Chak Abdul Wahid, Khopi, P.S.- Jandaha, Distt- Vaishali.
2. Sumani Devi W/o Bhagat Manjhi R/o Village- Chak Abdul Wahid, Khopi, P.S.- Jandaha, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rina Sinha
For the Opposite Party/s	:	Mr. Umesh Lal Verma, APP
For the informant	:	Mr. Awadhesh Prasad Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-03-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case registered under
Sections 147, 149, 323, 325, 337, 302 of the Indian Penal Code.

Allegedly, all the accused persons attacked the
informant's father by means of lathi-danda, farsa, piece of
bricks and iron rod as a result of which, the informant's father
sustained grievous injuries. When one Navin Kumar came to
save the informant's father, he was also attacked as a result of
which, he sustained injury. The informant's father was brought
to hospital where he died in course of treatment.

It has been submitted on behalf of the petitioners that



the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. The petitioners are in custody since 22-05-2020. Charge sheet/Prosecution report in this case has already been submitted. Allegation is that the other co-accused assaulted the deceased with bricks. Petitioners are ladies. They are also said to have given iron rod blow and danda blow upon the deceased. As per postmortem report, only two lacerated wounds were found on the part of the deceased. Allegation of assault is against male accused along with these two ladies. The allegation made in the FIR does not corroborate with the postmortem report. The petitioners have been made accused in the present case for oblique reason. There was land dispute going on between the parties. There is case and counter case between the parties. The injury on the side of accused persons has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State and the informant, it has been submitted that the petitioners are named in the FIR.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on bail on furnishing



bail bonds of Rs. 10,000/- (ten thousand) each with two sureties
of the like amount each to the satisfaction of learned Chief
Judicial Magistrate, Vaishali at Hajipur in connection with
Jandaha P.S. Case No. 63 of 2018.

(Sudhir Singh, J)

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