

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40470 of 2020**

Arising Out of PS. Case No.-223 Year-2020 Thana- PIPRA District- East Champaran

GAJANTI DEVI Wife of Late Bhushan Sah Resident of Village- Rasha
Mandal, P.S.- Pipra, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 08-02-2021 Heard both parties.

The petitioner seeks bail in Pipra P.S. Case No. 223 of 2020, registered for the offence punishable under Sections 341, 323, 307, 302, 504, 506 and 34 of the Indian Penal Code.

As per the prosecution case, Gajanti Devi (petitioner), co-accused Lila Devi and Vikash Kumar are alleged to have caught hold of informant's son namely, Surendra Sah. Co-accused Chhabila Sah assaulted him with Farsa on his head causing head injury and co-accused Shankar Sah indiscriminately assaulted him with iron rod on his body, as a result of which he became unconscious and fell down on the ground. Later on, during course of treatment, Surendra Sah died.

It is submitted on behalf of the petitioner that



petitioner along with two other co-accused alleged to have caught hold of the deceased and there is no specific allegation of assault against this petitioner. It is further submitted that postmortem report does not corroborate the prosecution case and injury as alleged in the FIR. Chargesheet has already been submitted. Petitioner is a lady and is in custody since 26.06.2020 having clean antecedent as stated in para 3 of the petition.

Considering the facts and circumstances of the case, the petitioner above-named, 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 Chief Judicial Magistrate, East Champaran in connection with Pipra P.S. Case No. 223 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, her bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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