

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4081 of 2021

Arising Out of PS. Case No.-150 Year-2019 Thana- BACHHWARA District- Begusarai

POONAM DEVI W/O DILIP MAHTO R/O VILLAGE- SALEMPUR, P.O.
NAIPUR, P.S. BACHCHWARA, DIST.- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 24-06-2021 Heard Mr. Bijay Kumar Pandey, learned counsel for the petitioner and Mr. Nawal Kishore Prasad, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Bachhwara P.S. Case No. 150 of 2019 registered for the offence punishable under Section 302/34 of the Indian Penal Code 1860.

The allegation against the petitioner and other accused persons is that the son of the informant aged about five years has been killed by the FIR named accused persons including the petitioner due to land dispute.

Learned counsel for the petitioner submits that the petitioner is mother-in-law of the informant and she has falsely been implicated in this case on the basis of suspicion only.



Learned counsel further submits that except suspicion no material has come against the petitioner in the present offence and her bail application was earlier rejected by this Court vide order dated 4.12.2019 passed in Cr. Misc. 79213 of 2019 giving liberty to the petitioner to renew her prayer for bail after nine months. Learned counsel next submits that the husband of the petitioner who is also named in the First Information Report has been granted bail by the court below itself vide B.P. No. 805 of 2020 and the petitioner is in custody since 5.9.2019.

On the other hand, learned counsel for the State referring to the case diary submits that during course of investigation it has come that there was admitted land dispute between the family members i.e. the informant and the petitioner and the dead body of the informant's son was found lying in the courtyard where the petitioner and other co-accused persons reside.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that husband of the petitioner has already been granted bail by the learned court below and the petitioner is a lady and she is in custody since 5.9.2019 as well as charge sheet has already been submitted in the matter, I am inclined to grant regular bail to the



petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Bachhwara P.S. Case No. 150 of 2019.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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