

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3147 of 2021

Arising Out of PS. Case No.-74 Year-2020 Thana- MURLIGANJ District- Madhepura

NITU DEVI, aged about 30 years (F), W/o Santu Kumar, R/o Village-
Haripur, Kala, P.S.- Muraliganj, District- Madhepura.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sharda Nand Mishra, Advocate.
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2021 Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through Virtual mode.

The petitioner is apprehending her arrest in a case for
the offence registered under Sections 341, 323, 307 and 302/34
of the I.P.C.

The prosecution story, in brief, is that on 05.03.2020
at night 11.00 P.M. Santu Kumar Yadav, Ramesh Yadav, Ramji
Yadav, wife of Ramji Yadav and wife of Santu Kumar Yadav,
namely, Nitu Devi (petitioner) assaulted the informant's cousin
Mangal Yadav in exchange of money. On hearing hull, the
informant woke-up and went to place of occurrence alongwith



his wife and son to rescue Mangal Yadav. During that on account of previous enmity, they assaulted the informant alongwith his wife and son. The informant and his son managed to escape from the scene but his wife could not. Thereafter, all the above five persons have brutally assaulted the informant's wife, namely, Dewaki Devi by Lathi, Danda, Bamboo Baithi and Dabiya upon which his wife Dewaki Devi died on the spot.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Altogether, five persons are named in the F.I.R. The petitioner is a lady.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on her personal bond to the satisfaction of the learned C.J.M.,



Madhepura, in connection with Murliganj P.S. Case No. 74/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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