

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10898 of 2021

Arising Out of PS. Case No.-161 Year-2017 Thana- GOPALPUR District- Patna

Chameli Devi aged about 35 years, (female) wife of Rambharosha Paswan,
Resident of Mohalla- Ramjichak, Nahar Lakh Road, Police Station Digha,
District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner	:	Mr. Ranjan Kumar Sinha Advocate
For the State	:	Mr. Md. Shakir Ahmad APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 07-07-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

2 Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

3. Heard learned counsel for the petitioner and learned counsel for the State.

4. The petitioner seeks bail in Gopalpur PS Case No.161 of 2017, instituted for the offence under Sections 341,323,504 and 302/34 of the Indian Penal Code.

5. The prosecution case is that the petitioner along with Shivpatiya Devi was abusing the informant's wife. The informant has, thereafter, objected. It is alleged that Shivpatiya Devi called her three sons, namely, Munchun Paswan, Ranjeet Paswan and Sanjeet Paswan. They have arrived and assaulted the prosecution parties leading to the death of informant's father.



6. The learned counsel for the petitioner submits that the prosecution and the accused persons are cousins. There is subsisting dispute regarding apportionment of family property. It is, under these circumstances, allegation of using abusive language has been made. In the subsequent part of the prosecution story, fatal assault has been alleged against the co-accused persons, namely, Munchun Paswan, Ranjeet Paswan and Sanjeet Paswan. The petitioner is a lady and in such circumstances, she continues to be in custody since 25.06.2020 having no criminal antecedents.

7. The learned APP representing the State has opposed the prayer for bail.

8. Considering the rival submissions, let the petitioner, above named, be released 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 **ACJM IX Patna**, in connection with **Gopalpur PS Case No.161 of 2017**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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