

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9082 of 2021

Arising Out of PS. Case No.-161 Year-2020 Thana- BIHRA District- Saharsa

Tetri Devi, aged about 50 years, (Female) wife of Anil Kamat, Resident of village- Sihaul, Ward No. 6, Police Station- Bihra, District- Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner	:	Mr. Y.C. Verma Sr. Advocate with Mr. Kanchan Kumar Singh, Advocate
For the State	:	Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 04-08-2021 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.

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.

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

The petitioner seeks bail in Bihra PS Case No. 161 of 2020, instituted for the offence under Sections 341,323,324,307,302,504 and 506/34 of the Indian Penal Code.

There is allegation that informant's son has been killed by



the instant petitioner along with her son. The killing is on account of a dispute relating to road widening.

The submission is that being a lady, the instant petitioner has falsely been implicated due to family feud.

The case diary had earlier been requisitioned. The learned senior counsel submits that death has occurred due to excessive bleeding on account of knife injury. The allegation of stabbing is against the co-accused (son of the petitioner) and, against this petitioner, there is an allegation that she has also twisted the neck. The same, however, does not stand corroborated by the postmortem report. The petitioner is in custody since 21.07.2020.

The learned APP, representing the State, has opposed the prayer for bail. He has referred to paragraph Nos. 23, 24 and 25 of the case diary, which are statements of the relatives, wherein, they have supported the prosecution case.

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 **CJM, Saharsa**, in connection with **Bihra PS Case No. 161 of 2020**, 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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