

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9436 of 2021

Arising Out of PS. Case No.-176 Year-2020 Thana- KOCHADHAMAN District- Kishanganj

ANUJA KHATOON @ ANJU WIFE OF MD. KALAM R/O VILLAGE-
MACHHIMARI EIDGAH, P.S.- KOCHADHAMAN, DIST.- KISHANGANJ
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mrs.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-07-2021 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Kochadhaman P.S. Case No.176 of 2020, registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

As per the prosecution case, the informant being the wife of deceased has alleged that this petitioner and her husband, on the said date of occurrence had some dispute with her husband, upon which the petitioner gave rod to her husband and by means of this rod, he assaulted the husband of the deceased due to which



he sustained injury on head and died at the spot.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to land dispute. There is no eye witness to the occurrence. No incriminating article has been recovered from his conscious physical possession. As per the FIR, only allegation upon the petitioner is that she gave iron rod to her husband and he assaulted by the iron rod to the victim. The petitioner is a lady and her husband is also in custody. She has no criminal antecedent and has been languishing in custody since 21.07.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj, in connection with Kochadhaman P.S. Case No.176 of 2020.

(Anjani Kumar Sharan, J)

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