

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6927 of 2022**

Arising Out of PS. Case No.-592 Year-2021 Thana- MUFFASIL District- West Champaran

MALTU DEVI W/o Madan Sah R/o Village - Purvi Farwan, P.S. - Bettiah  
(Muffasil), District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 7219 of 2022**

Arising Out of PS. Case No.-592 Year-2021 Thana- MUFFASIL District- West Champaran

BIRU SAH S/o Madan Sah R/o Village- Purvi Farwan,P.S.- Bettiah  
(Muffasil), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 6927 of 2022)

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

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

For the Informant : Mr. Gauri Shanker Thakur, Advocate

(In CRIMINAL MISCELLANEOUS No. 7219 of 2022)

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

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

For the Informant : Mr. Gauri Shanker Thakur, Advocate

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      29-09-2022

**IN CR. MISC. NO. 6927 OF 2022**

Heard learned counsel appearing on behalf of the  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with Bettiah



(Muffasil) P.S. Case No. 592 of 2021 registered for the offence under Sections 302 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 16.10.2021.

The allegation against the petitioner is to commit murder of the father of informant, along with other co-accused persons, for money transactions.

Learned counsel appearing on behalf of the petitioner submitted that allegation as regard to assault against this petitioner is very much general and omnibus. It is further submitted that petitioner is a lady of clean antecedent. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP duly assisted by learned counsel for the informant, while opposing the prayer of bail, submitted that there is allegation of collective assault.

Considering the facts and circumstances as mentioned above, as allegation as regard to assault is very much general and omnibus against this petitioner, who is a lady of clean antecedent coupled with the fact that charge-sheet has already



been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bettiah (Muffasil) P.S. Case No. 592 of 2021, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

**IN CR. MISC. NO. 7219 OF 2022**

Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Bettiah (Muffasil) P.S. Case No. 592 of 2021 registered for the offence under Sections 302 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 21.12.2021.

The allegation against the petitioner is to commit murder of the father of informant, along with other co-accused persons, for money transactions.

Learned counsel appearing on behalf of the petitioner submitted that allegation as regard to assault against this



petitioner is very much general and omnibus. It is further submitted that as per FIR, allegation against this petitioner is to made an assault on abdomen of the deceased, whereas, as per post-mortem report, the death was caused due to head injury, falsifying the allegation. It is also submitted that petitioner is a man of clean antecedent. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP duly assisted by learned counsel for the informant, while opposing the prayer of bail, submitted that there is allegation of collective assault.

Considering the facts and circumstances as mentioned above, as manner of assault is not in corroboration with nature of injury, as found upon the deceased, where, petitioner is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bettiah (Muffasil) P.S. Case No. 592 of 2021, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran/concerned court, subject to the condition as



mentioned under Section 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

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