

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9207 of 2022

Arising Out of PS. Case No.-2533 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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Kusum Kumari W/O Late Rajeev Kumar, D/O Jai Ram Prasad Sharma
Resident Of Village- Gokulpur, P.S.- Harnaut, District- Nalanda And
Presently Residing At Bara Nimdih, Near Scout School, Chaibasa, P.S.-
Chaibasa, District- West Singhum (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nihar Nandan Ambasta

For the Opposite Party/s : Mr.Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Complaint Case No. 2533 (c) of 2018 instituted for the
offence under Sections 325, 307, 302, 34 of the Indian Penal
Code.

As per allegation in the FIR, petitioner was married to
the son of the complainant and since last four years they are
living separately. On several occasions, deceased went to her
home to bring her but she always refused. It is further alleged
that on 28.04.2018 deceased again went to his in-laws house to



bring his wife but there he was brutally beaten up by the petitioner and her family members to which deceased narrated to his father, the complainant. While his treatment was going on at IGIMS, Patna, he died.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. In fact husband of the petitioner died a natural death due to prolonged illness. There is no eye witness to support the prosecution case. FIR has been lodged after a delay of a month. As per death certificate, issued by IGIMS, Patna, doctor has disclosed cause of death due to traumatic quadriplegia due to dislocation of C5 vertebra, respiratory failure.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Complaint Case No. 2533 (c) of 2018, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each



to the satisfaction of learned A.C.J.M. 4th Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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