

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25362 of 2021

Arising Out of PS. Case No.-67 Year-2020 Thana- GOPALPUR District- Bhagalpur

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LALITA DEVI W/O NARESH YADAV RESIDENT OF VILLAGE BABU
TOLA, KAMLA KUND, P.S.-GOPALPUR, DISTRICT-BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kundan Kumar

For the Opposite Party/s : Mr. Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 07-02-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner apprehends her arrest in connection
with Gopalpur P.S. Case No. 67/2020 registered for the offences
punishable under Sections 341/323/504/506 of the Indian Penal
Code. Subsequently, Section 302 of the Indian Penal Code was
also added.

It has been submitted by learned counsel for the
petitioner that the petitioner is a lady and there is general and
omnibus allegation against her of having assaulted the
prosecution side with *lathi*. He further submits that the date of
occurrence is 05.03.2020 and the deceased died due to cardiac
respiratory failure on 19.03.2020 and, therefore, Section 302 of



the Indian Penal Code is not made out against the petitioner.

I have considered the aforesaid submissions.

As per the F.I.R. three persons have been assaulted.

In view of the fact that the petitioner is a lady and general and omnibus allegations have been levelled against her and the deceased died of cardiac respiratory failure, the present anticipatory bail application is allowed.

Accordingly, let the petitioner above named be released on bail, in the event of her arrest or surrender before the court below within a period of ten weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Naugachia, Bhagalpur, in connection with Gopalpur P.S. Case No. 67/2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Sandeep Kumar, J)

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