

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16490 of 2022

Arising Out of PS. Case No.-128 Year-2021 Thana- KATHAIYA District- Muzaffarpur

KABITA DEVI @ KAVITA DEVI @ KABITA @ KAVITA RANI D/o
Dhanai Mahto Resident of Village- Jasauli, P.S.- Kathaiya, District-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Upendra Kumar Chaubey, Adv.
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Mr. Alok Kumar Alok, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 307 and other sections of the Indian Penal Code.

As per the prosecution case, the eight named accused persons including the petitioner herein are said to have started abusing the wife and brother of the informant and on the informant asking them not to do so, it is stated that Dhanai Mahto, Sunil Mahto, Anil Mahto and Chandan armed with iron rod, knife, sword etc. assaulted the father of the informant. It is further stated that on the informant and other members of the family going to their father's rescue, Sarita, Savita, Kabita (petitioner) and Kunti Devi attacked and assaulted them. The



informant's father died in course of treatment.

It is submitted by learned counsel for the petitioner that the petitioner is a lady and has been falsely implicated in the case. The manner of occurrence is other than what has been narrated in the F.I.R. The allegation of assault on the father of the informant is not on the petitioner. The allegation on the petitioner is general and omnibus in nature. She is in custody since 13.9.2021 and has no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the general and omnibus allegation against the petitioner who is a lady and is in custody for 7 months and investigation in the case has concluded, the Court directs the petitioner to be enlarged on bail in connection with Kathaiya P.S. Case no.128 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 the learned Additional Chief Judicial Magistrate 4th, Muzaffarpur.

(Partha Sarthy, J)

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