

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28903 of 2021

Arising Out of PS. Case No.-191 Year-2020 Thana- FATEHPUR District- Gaya

MAINVA DEVI, Wife of Prabhu Yadav, Resident of Village- Dharhara
Khurd, P.S.- Fatehpur, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Vashist, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

The petitioner apprehends her arrest in connection
with Fatehpur P.S. Case No. 191 of 2020 for offences under
Sections 341, 323, 325, 308, 379, 504, 506/34 of the Indian
Penal Code.

The deceased died one week after the date of
occurrence because of the assault committed by the accused
persons, which include the name of the petitioner also, who is a
lady.

It has been submitted by the learned counsel for the
petitioner that the petitioner has been falsely implicated due to
malafide reasons and land dispute, as the entire family members



have been implicated in this case. He also submits that the deceased has died of Septicemia and Septicemia has occurred because the deceased was not properly treated.

Considered the submissions of both the parties and the submission that Septicemia has occurred because the deceased was not properly treated does not find favour with the court. However, the petitioner, being a lady, is not expected to participate in the occurrence along with her husband and other family members of assaulting the deceased and there is no chance of her absconding.

Considering the aforesaid facts and circumstances, the anticipatory bail application is allowed.

Accordingly, let petitioner, above-named, in the event of her arrest or surrender within four weeks from today, be released 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 Additional Chief Judicial Magistrate-X, Gaya in connection with Fatehpur P.S. Case No. 191 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sandeep Kumar, J)

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