

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 37938 of 2021

Arising Out of PS. Case No.-61 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

Usha Devi D/O Ram Ishwar Mushar R/o village- Belaur, P.S.- Udawantnagar,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kahkashan Alam, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 26-09-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Udwantnagar P.S. Case No. 61 of 2021 lodged under Sections
147, 149, 452, 323, 307, 302, 504 of the I.P.C.

As per the prosecution case, the petitioner and
accused persons assaulted the husband of the accused with fist
and legs causing injury to him and after 3 days of the event, he
visited to hospital again, where he died. Learned counsel for the
petitioner submits that petitioner is innocent having clean
antecedent. There is nothing specific against the present
petitioner, whatever allegations are there, those are general and

omnibus allegations. Neither any intention nor any motive has been established against the present petitioner.

Learned counsel for the petitioner submits that the petitioner is a woman and she is in custody since 20.02.2021, charge sheet has already been filed.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Udwantnagar P.S. Case No. 61 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the

petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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