

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32274 of 2022

Arising Out of PS. Case No.-400 Year-2021 Thana- PAROO District- Muzaffarpur

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MADIYA DEVI @ MALIYA DEVI WIFE OF LATE GAURI SAHNI R/O-
VILL-GOKHULA, BHAGWATPUR, P.S.- PAROO, DIST.-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends her arrest in a case registered for the offence punishable u/s 302/34 of the Indian Penal Code.

The allegation against the petitioner is that she along with other accused persons have indiscriminately assaulted the informant's side, due to which he died in course of treatment.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. She has been falsely implicated in this case due to ulterior motive.



No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is no eye-witness to the alleged occurrence but the real fact is that the son of the informant has died due to consumption of illicit liquor. It is further submitted that the petitioner is 88 years old lady and not in a position to commit such offence. She has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the old age of petitioner, let her, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Paroo P.S. Case No.400 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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