

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40913 of 2021**

Arising Out of PS. Case No.-196 Year-2020 Thana- RAGHUNATHPUR District- Siwan

SUMITRA DEVI Wife of Avtar Sah @ Atvaru Sah Resident of Village-  
Santhi, P.S.- Raghunathpur, District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Kundan Kumar, Advocate.

For the Opposite Party/s : Mr.NAGENDRA PRASAD  
Mr. MOHIT SHRIWASTAVA

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

3      22-02-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two  
weeks of the complete start of the physical Court in normal  
course.

The petitioner, who is in custody since 10.04.2021,  
seeks regular bail in connection with Raghunathpur P.S. Case  
No. 196 of 2020 for the offence punishable under Sections 147,  
148, 149, 341, 323, 324, 307 and 504 of the Indian Penal Code.

The prosecution case, in brief, is that so far as the  
present petitioner is concerned, allegation against her is of  
assaulting on the finger of the informant Ghurpati Devi and the  
injury report reveals that the injury is simple in nature.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that the petitioner has no concern with the alleged murder and the allegation made in the F.I.R. and she has been made accused in this case because she is wife of the co-accused Atwaru Sah. However the specific allegation of assault which caused the death of the deceased is against co-accused Dharmendra Sah.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case as well as nature of allegation made against the present petitioner in the F.I.R. and supported by the injury report that the injury is simple in nature and has not been caused any injury on the vital part of the informant, the petitioner, above named, is directed to be enlarged on bail 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 Chief Judicial Magistrate, Siwan in connection with Raghunathpur P.S. Case No. 196 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court



concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

**(Purnendu Singh, J)**

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