

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33597 of 2022

Arising Out of PS. Case No.-334 Year-2020 Thana- BISFI District- Madhubani

Sobita Devi @ Sunaina Devi D/o Ramesh Mandal, W/o Dhanshyam Mandal
R/o village- Bhojpandaul, P.S.- Bisfi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Bisfi P.S.
Case No. 334 of 2020 registered for the offence under Sections
341, 323, 324, 307, 302, 354, 504, 147, 148 and 149 of the
Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 27.03.2021.

The allegation against the petitioner is to commit murder of
father of the informant alongwith other co-accused persons,
equipped with khanti etc.

Learned counsel appearing on behalf of the petitioner



submitted that the allegation, as regard to assault, is very much general and omnibus against the petitioner, rather same is specific against co-accused, namely, Ramesh Mandal. It is submitted that petitioner is a lady and is a person of clean antecedent. While concluding the argument, it is submitted that similarly situated co-accused has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 2818 of 2022 dated 18.05.2022.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that the allegation, as regard to assault, is very much general and omnibus against this petitioner.

Considering the facts and circumstances as mentioned above, as allegation of assault is very much general and omnibus against the petitioner, rather same is specific against co-accused, namely, Ramesh Mandal coupled with the fact that petitioner is a lady, let the petitioner, above named, is directed to be released on bail in connection with Bisfi P.S. Case No. 334 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- 11th, Madhubani, subject to the following conditions:



“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(ii) That one of the bailors shall be Janakdulari Kumari, who is the sister-in-law (Bhabhi) of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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