

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38531 of 2022**

Arising Out of PS. Case No.-59 Year-2022 Thana- KRITYANAND NAGAR District- Purnia

MALA DEVI DAUGHTER OF MANOJ MANDAL R/O VILLAGE-  
GOKULPUR, P.S.- K. NAGAR, DISTT.- PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate.

For the Opposite Party/s : Mr. Arun Kumar Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      25-08-2022                      Today this case has been listed on the motion slip  
filed by the learned counsel for the petitioner.

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.

Heard Mr. Praveen Kumar Agrawal, learned counsel  
for the petitioner as well as learned Additional Public Prosecutor  
for the State.

The application for grant of bail to the petitioner,  
above named, who has been made accused and put behind the  
bar in connection with K. Nagar P. S. Case No. 59 of 2022  
registered for the offences punishable under Sections 341, 323,  
324, 307, 427, 379, 504, 506 read with 34 of the Indian Penal  
Code and subsequently Section 302 of the Indian Penal Code



was added.

As per the prosecution case, it is alleged that the informant along with her family members were residing in a *khatiyani* land, which was purchased from Majoj Mandal, however, the accused persons in order to dispossess them from the land came to the house of the informant and it is further alleged that altogether 18 F.I.R. named named accused persons armed with weapons surrounded them and started abusing and assaulting them. It is further alleged that co-accused Manoj Mandal gave bamboo blow over the head of the husband of the informant and thereafter, when her son Ramesh Mistri came there to save him, then Rupesh Mandal assaulted by means of iron rod to her son. It is also alleged that all the accused persons demolished her house and looted the household articles and valuables.

Learned counsel appearing on behalf of the petitioner submitted that so far the specific allegation is concerned, the same has been attributed against Manoj Mandal and Rupesh Mandal and with regard to the other co-accused persons including the petitioner, there are general and omnibus allegation. It is further submitted that there is a counter version of the present crime in as much as K. Nagar P. S. Case No. 60 of



2022 has been instituted by the petitioner. It is next submitted that even the post mortem report suggests only one injury over the body of the deceased, which also falsifies the case of the prosecution that he was assaulted by all the accused persons. It is also submitted that the petitioner being lady, having fair antecedent is in custody since 29.03.2022 and moreover, after completion of the investigation, the charge sheet has been submitted.

On the other hand, learned APP for the State opposes the bail application.

Having considered the submissions made on behalf of the parties and taking into account the general and omnibus nature of allegation, apart from the fact that the petitioner being a lady, she is in custody since 29.03.2022, having fair antecedent, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with K. Nagar P. S. Case No. 59 of 2022, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the



trial.

- (ii) She will remain present on each and every date of trial till disposal of the case.
- (iii) She will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, her bail bonds will liable to be cancelled.

**(Harish Kumar, J)**

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