

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42041 of 2022

Arising Out of PS. Case No.-88 Year-2021 Thana- SANGRAMPUR District- Munger

Indu Devi, Wife of Tripurari Yadav, Resident of Village - Rainia, P.S.- Tetia
Bamber (Sangrampur), District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-10-2022 This petition has been taken up for out of turn hearing on a mention slip being moved on behalf of the petitioner that the petitioner is a lady and has to participate in Chhath Puja.

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

Let the defect (s), if any, as pointed out by the office be removed within four weeks.

In the present case, the petitioner seeks bail in connection with Sangrampur P.S. Case No. 88 of 2021, registered for the alleged offences under Sections 341, 323, 324, 307, 504, 302 and 34 of the Indian Penal Code.

As per the prosecution case, the co-accused was cutting soil from the courtyard of the informant and when he



forbade him from doing so, the co-accused along with this petitioner assaulted the informant and his father. The co-accused Tripurari Yadav gave spade blow on the head of the father of the informant who later on succumbed to his injuries.

The learned counsel for the petitioner submits that there is general and omnibus allegation against a number of persons including this petitioner and there is no allegation of any specific overt act against this petitioner of using any weapon or giving any blow. The specific allegation of giving spade blow is against the co-accused Tripurari Yadav. The other similarly placed co-accused persons have been allowed anticipatory bail as well as regular bail vide order dated 11.07.2022 passed in Cr. Misc. No.54537 of 2021 and order dated 05.05.2022 passed in Cr. Misc. No. 57351 of 2021, respectively. The case of the petitioner is on similar footing. The petitioner is in custody since 21.04.2022. The charge sheet has been submitted.

Learned A.P.P. opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made hereinabove and considering the fact that the petitioner is a lady and further considering the absence of any specific allegation against her and also considering the



submission of charge sheet and the period of custody of the petitioner, she is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Munger, in connection with Sangrampur P.S. Case No. 88 of 2021, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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