

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51633 of 2021

Arising Out of PS. Case No.-359 Year-2020 Thana- HARSIDHI District- East Champaran

LAYACHI DEVI W/o Sambhu Yadav Resident of Village - Gayghat, P.s.-
Harsidhi, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Chand Verma, Adv. Mr. Abhishek Kumar
For the Opposite Party/s	:	Mrs. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-04-2022 Heard the parties through video conferencing.

Petitioner seeks regular bail in connection with Harsidhi PS Case No. 359 of 2020 registered under Sections 341, 323, 307, 354, 379, 504, 506, 34 of the I.P.C. subsequently added Section 302 of the I.P.C.

As per the first information report four accused persons assaulted the informant, his wife and mother- Umarawati Devi. It has further been alleged that petitioner pressed the neck of Umarawati Devi by her legs and other accused persons assaulted her due to which she died.

Learned counsel for the petitioner submits both the parties are agnates and there is land dispute between the parties. He next submits that allegation against the petitioner is based



on a concocted story and she has not committed any offence as alleged which would be evident from Annexure 2 i.e. post mortem report of the deceased in which the doctor has not found any external injury on the body of deceased and no sign of ligature mark on any part of the neck of the deceased has been found. He next submits that doctor could not ascertain the cause of death of the deceased and in fact the deceased was suffering from some disease due to which she died. Petitioner is a lady having no criminal antecedent and she is in custody since 23-04-2021.

On the other hand, learned counsel for the informant opposes the prayer for bail and submits that there is direct allegation against the petitioner.

Regard being had to the submissions made by the parties, taking into consideration the materials available on record, the fact that no external injury has been found on the person of the deceased, the cause of death has not been ascertained, petitioner being a lady is in custody since 23/04/2021 and charge sheet has already been submitted, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000 /- (twenty



thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Harsidhi PS Case No. 359 of 2020.

(Anil Kumar Sinha, J)

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