

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51724 of 2021

Arising Out of PS. Case No.-86 Year-2021 Thana- JAGDISHPUR District- Bhagalpur

MALA DEVI WIFE OF GAUTAM KUMAR RESIDENT OF VILLAGE -
BADE SAIDPUR P.S- JAGDISHPUR DISTRICT -BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 12-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, over a family dispute relating to property, it is stated that the husband of the petitioner herein assaulted his parents as a result of which his father died and his mother also succumbed to the injuries.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case only for the reason that she happens to be the wife of the assailant. Although not admitting but accepting the allegations in the FIR to be true for the sake of argument, the case against the petitioner would be a conspiracy. No overt act has been alleged



against this petitioner who is a lady and is in custody since 9.3.2021. The petitioner undertakes to cooperate in the trial.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the husband of the petitioner being in custody together with the petitioner having remained in custody for more than 1 year, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no. 375 of 2021 (arising out of Jagdishpur P.S. Case no. 86 of 2021) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 9th Addl. District and Sessions Judge, Bhagalpur.

(Partha Sarthy, J)

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