

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47365 of 2022

Arising Out of PS. Case No.-265 Year-2020 Thana- SUGAULI District- East Champaran

BALMA KHATOON W/o Tauhid hassan R/o Bangara Ward No. 20, P.S. -
Sugauli, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi

For the Opposite Party/s : Mr.Ram Sevak Choudhary

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 30-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as

the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection

with Sugauli P.S. Case No. 265 of 2020, registered for the

offences punishable under Sections 147, 148, 149, 341, 323,

324, 307, 504 and 506 of the Indian Penal Code.

As per allegation, some altercation took place

between the parties regarding drainage of the water. The

accused persons named in the FIR assaulted the husband of the

informant. He died during course of treatment and, thereafter,



Section 302 of the Indian Penal Code was added.

The learned counsel for the petitioner has submitted that petitioner is a lady and is innocent. There is no allegation against the petitioner of assault on the person of the deceased. He has submitted further that co-accused, Md. Jamil Akhtar and Wahid Miyan against whom there is allegation to assault the injured persons, have been granted anticipatory bail by the Coordinate Bench of this Court. The learned counsel for the petitioner has submitted further that one injured, namely, Mohtur Rahman had denied to identify the accused persons in his deposition recorded during course of trial.

Considering the above-mentioned facts and circumstances, especially the fact that the co-accused persons have been granted anticipatory bail and the petitioner is a lady of clean antecedent, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran in connection with Sugauli P.S. Case No. 265 of 2020, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make herself available as and when required by the court.



(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Nirmal/Mahesh

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