

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58877 of 2021

Arising Out of PS. Case No.-261 Year-2021 Thana- SURSAND District- Sitamarhi

Manju Devi Wife Of Pawan Das R/O Village- Radhaur, Ward No.12, P.S.-
Sursand, District- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Dwivedi, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Sursand PS case no. 261 of 2021 instituted for the offences punishable under Sections 302, 307, 323, 341, 447, 504, 506/34 of Indian Penal Code.

The allegation is regarding dispute having arisen between the parties on account of goat of the accused persons having drunk the starch belonging to the informant. It is alleged that quarrel had taken place, thereafter and the petitioner along with two co-accused persons had come at the house of the informant and abused the informant. It is also alleged that co-accused person namely Sajjan Das had thrown the son of the informant namely Raushan Kumar on the ground, whereafter he



had assaulted him mercilessly, resulting in him becoming unconscious. Similarly, co-accused person namely Pawan Das is stated to have assaulted Jitendra Kumar.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 08.06.2021. The learned counsel for the petitioner has further submitted that admittedly, there is no allegation of the petitioner having engaged in any sort of over act and at best, the death of the deceased is attributable to the co-accused person namely Sajan Das.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner is not alleged to have assaulted the deceased, much less having engaged in any sort of overt act, apart from the fact that she is having a clean antecedent and is languishing in custody since 08.06.2021, I deem it fit and proper to admit the petitioner to the privilege of bail.



Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Judicial Magistrate 1st class, Sitamarhi in connection with Sursand PS case no. 261 of 2021.

(Mohit Kumar Shah, J)

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