

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59655 of 2021

Arising Out of PS. Case No.-101 Year-2021 Thana- BAUNSI District- Banka

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Durga Devi W/O Sanjay Das R/O Village-Gangta, P.S-Bounsi, District-Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-07-2022 Heard both parties.

The petitioner apprehends her arrest in Bounsi P.S.
Case No. 101 of 2021, registered for the offences punishable
under Sections 302, 34 of the Indian Penal Code.

Prosecution case in brief is that on 19.05.2021 at
about 3.00 pm when the informant returned home he saw her
mother having sustained injury on her head, nose and mouth and
there was bleeding. When the informant asked her mother, she
disclosed that petitioner and three co-accused persons brutally
assaulted her. It is further alleged that the mother of informant
died on the way to the hospital.

It is submitted that there is general and omnibus
allegation and no specific overt act has been alleged against this
petitioner. There is no eye-witness of the occurrence. The



alleged occurrence took place on 18.05.2021, but the fardbeyan of informant was recorded on 20.05.2021 wherein it is alleged that there is dying declaration which was purposely alleged.

Counsel for State vehemently opposed the prayer for bail and submitted that there is dying declaration against the petitioner.

Considering the facts aforesaid and gravity of offence, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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