

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51228 of 2022

Arising Out of PS. Case No.-176 Year-2022 Thana- BAKHARI District- Begusarai

MADHU DEVI @ MADHU KUMARI Wife of Mukesh Sharma R/V- Mauji
Than Singh , P.S- Bakhri, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-09-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of
four weeks from today.

The petitioner seeks bail in connection with Bakhri P.S.
Case No. 176 of 2022 registered for the offence under Sections
302 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 05.06.2022.

The allegation against the petitioner is to commit
murder of son-in-law of the informant along with other co-accused
persons/family members, where, dispute is founded over partition
of family properties.

Learned counsel appearing on behalf of the petitioner
submitted that admittedly, as per FIR, specific allegation to give



fatal assault is against co-accused, namely, Dipak Kumar and not against this petitioner. It is also submitted that petitioner is an innocent lady of clean antecedent, who has been falsely implicated in the present case, only for the reason that she is one of the co-sharer of the property. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation as regard to fatal assault is not available against this petitioner, rather same is against co-accused, Dipak Kumar, where, petitioner is a lady of clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bakhri P.S. Case No. 176 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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