

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51544 of 2022

Arising Out of PS. Case No.-375 Year-2022 Thana- SIKARPUR District- West Champaran

1. RAMAWATI DEVI W/o Rajkumar Sah Resident of Village- Bargajwa, P.S.- Shikarpur, District- West Champaran (Bettiah)
2. USHA DEVI W/o Rajkishor Sah Resident of Village- Bargajwa, P.S.- Shikarpur, District- West Champaran (Bettiah)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-12-2022 Heard the parties via video conferencing.

Petitioners seek regular bail in connection with Shikarpur P.S. Case No. 375 of 2022 registered under Section 325, 307, 302, 379 and 34 of the I.P.C.

As per the F.I.R. the petitioners along with other co-accused persons abused the father of the informant and there is specific allegation against the petitioners that they assaulted the informant's father on left hand, left palm and legs by means of *lathi*. The father of the informant died subsequently in hospital.

Learned counsel for the petitioners submits that both the parties are agnates and there is land dispute pending between



them. He further submits that allegation of assault upon the head of the deceased is against the co-accused persons namely, Rajkumar Sah, Rajkishor Sah and Ramjee Sah. From perusal of the post- mortem report it would appear that the cause of death of the deceased is hemorrhage and shock due to head injury. He next submits that allegation against the petitioners, who are lady, is that they had assaulted upon the non- vital part of the body of the deceased i.e. near left hand, left palm and leg which did not cause death of the deceased.

On the other hand, learned counsel for the informant submits that there is specific allegation of assault against petitioners and in the inquest report it has been found that left hand of the deceased was broken and the deceased was having injury upon the left palm and leg also.

Regard being had to the submissions made by the parties, taking into consideration the fact that petitioners are lady, allegation against them is of assault upon hand, leg and palm of the deceased which are non vital parts of the body, the cause of death of the deceased is due to head injury, the petitioners are in custody since 08/05/2022, charge sheet has already been submitted and there is no likelihood that the petitioners will abscond or tamper with the evidence if released



on bail, as such, I am inclined to grant regular bail to the petitioners.

Let the petitioners, above named, be released on regular bail on furnishing bail bond of Rs. 10000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Shikarpur P.S. Case No. 375 of 2022.

(Anil Kumar Sinha, J)

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