

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54540 of 2022

Arising Out of PS. Case No.-117 Year-2022 Thana- ATHMALGOLA District- Patna

MUNNI DEVI WIFE OF NAGENDAR SINGH R/O VILLAGE-
JAMALPUR BARAHIYA, P.S.- ATHMALGOLA, DISTT.- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap,Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing in view of the
COVID 19.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is an accused in connection with
Athmalgola P.S. Case No. 117 of 2022 under Sections 147, 148,
149, 341, 323, 302, 504 and 506 of the Indian Penal Code.

The allegation is that on 04.05.2022. There arose
dispute of putting the brick on the land of informant and as the
informant confronted Nagendra Singh @ Mannu Singh, it is
alleged that all the accused persons armed variously came and
started assaulting Raushan Kumar, Kundan Kumar and Ratnesh
Kumar as also Ritik Kumar and due to the said assault, the



further allegation is that Raushan Kumar and Ratnesh Kumar succumbed to their injuries.

Learned counsel for the petitioner submits that as would reflect from the FIR, the only allegation against this lady is of arriving with other accused persons armed variously. He further submits that a bare perusal of paragraph 10 of the bail application would show that the specific allegation is upon Kundan Kumar who gave '*bhala blow*' on the cheek of Raushan Kumar and further the Ratnesh Kumar was also assaulted.

Considering the fact that there is omnibus allegation against the petitioner herein, most importantly she is a lady aged about 52 years, is in custody since 05.05.2022 (as stated in paragraph 14 of the bail application), charge sheet stands submitted and she do not have criminal antecedent, this Court is inclined to grant her privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of Learned S.D.J.M., Barh, Patna in connection with Athmalgola P.S. Case No. 117 of 2022, subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show her



bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of her bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Neha/-

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