

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68342 of 2021**

Arising Out of PS. Case No.-263 Year-2019 Thana- MURLIGANJ District- Madhepura

KAJAL KUMARI Daughter of Anil Paswan @ Dhorai Paswan Resident of
village - Rampur, Ward No. 12, P.S. - Murliganj, District - Madhepura.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shekhar Kumar Singh

For the Opposite Party/s : Mr.Mukesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 27-07-2022 Learned counsel for the petitioner is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehends her arrest in connection with
Murliganj P.S. Case No. 263 of 2019, registered for the offences
punishable under Sections 341, 379, 504, 506/34 of the Indian Penal
Code and later on section 302 of the IPC was added.

As per FIR when the informant's wife protested against
bamboo cutting, co-accused Meera Devi abused her and the
petitioner, Kajal Kumari inflicted rod blow on her head. She became
injured and died after eighteen days. Thereafter, Section 302 of the
IPC was added.

Learned counsel for the petitioner has submitted that



when the petitioner assaulted the informant's wife, she was treated and the injuries were found simple but after eighteen days she died which shows that she was an old lady and due to some ailment she died.

On the other hand, learned Addl.P.P., Sri J.N. Thakur, has submitted that the petitioner is direct assailant. She assaulted the informant on her head that is vital part. She sustained injuries and after two weeks she breathed her last.

Considering the fact that the petitioner is direct assailant, she does not deserve the privilege for anticipatory bail. Accordingly, it is rejected.

If the petitioner surrenders before the court below and makes a prayer for regular bail, her bail petition shall be disposed of on its own merit without being prejudiced by this order.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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