

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16123 of 2023

Arising Out of PS. Case No.-100 Year-2021 Thana- MUSAHARI District- Muzaffarpur

Namita Devi @ Navita Devi, aged about 40 years (Female) Wife of Sunil Thakur, Resident of Village- Vinda, P.S.- Mushahari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks regular bail in connection with Mushahari P.S. Case No. 100 of 2021 registered for the offence punishable under Sections 147, 149, 341, 323, 452, 307 and 302 the Indian Penal Code.

Allegation against accused persons along with the petitioner is that they assaulted the son of the informant, namely, Prakash Thakur due to which he sustained injuries and after that he was taken to hospital for treatment where doctor declared him dead.

Learned counsel for the petitioner submits that the alleged occurrence had taken place on 02.06.2021. However, FIR was lodged on 07.06.2021 without any cogent reason. There is case and counter case between the parties. Learned



counsel for the petitioner further submits that the petitioner is innocent and has committed no offence, having been falsely implicated in this case. It is further submitted that there is no specific overt act of assault as alleged against the petitioner rather general and omnibus allegation has been levelled against her. The petitioner is languishing in jail custody since 14.08.2022 and has no criminal antecedent. Other similarly situated co-accused has been granted bail by a Coordinate Bench of this Court vide order dated 25.04.2023 in Criminal Miscellaneous No. 13020 of 2023.

Learned APP appearing for the State has opposed the prayer for regular bail of the petitioner.

Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M - 10th Muzaffarpur East in connection with Mushahari P.S. Case No. 100 of 2021.

(Sunil Dutta Mishra, J)

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