

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9112 of 2023**

Arising Out of PS. Case No.-175 Year-2021 Thana- LAURIA District- West Champaran

1. Manisha Devi W/O Chhota Mukhiya R/O Village- Dhobani Sugauli, P.S- Lauriya, District- West Champaran
2. Mirchi Devi W/O Murari Mukhiya R/O Village- Dhobani Sugauli, P.S- Lauriya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Pranav Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      30-08-2023                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners have prayed for grant of bail in connection with Lauriya P.S. Case No. 175 of 2021 registered under sections 302 and 34 of the Indian Penal Code and police has submitted charge sheet under Section 304(A) of the IPC.

Allegation against the co-accused persons along with the petitioners is that they assaulted the informant's son by means of brick due to which he sustained injuries and later on he died. The reason behind this as alleged occurrence is said to be previous dispute between the parties.

Learned counsel for the petitioners submits that the



petitioner are innocent and have committed no offence. They have falsely been implicated in this case due to previous enmity. It is further submitted that there is no specific allegation of assault against the petitioners rather general and omnibus allegation has been levelled against all the accused persons including these petitioners. It is also submitted that no case is made out under Section 302 of the IPC as after investigation, police has submitted charge sheet under section 304(A) of the IPC but the Trial Court differing with the opinion of the investigation and took cognizance under Section 302 and 34 of the IPC. Petitioners had no intention to kill the deceased. A statement has been made in para-3 of this petition that the petitioner have got no criminal antecedent. Moreover, they are languishing in judicial custody since 11.10.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts that the petitioners being lady and their period of custody, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Lauriya P.S. Case No. 175 of 2021 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten



thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1st, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

shubham/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

