

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18173 of 2023

Arising Out of PS. Case No.-4 Year-2023 Thana- BUXAR INDUSTRIAL District- Buxar

Chinta Devi, wife of Ramashish Yadav, Village- Gagaura Ps- Buxar
(Industrial Area) Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nil Kamal, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Buxar (Industrial Area) P.S. Case No. 04 of 2023 registered for the alleged offences under Sections 147, 148, 149, 341, 323, 324, 307, 302, 379, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, petitioner and 14 other co-accused persons, in the background of some land dispute, attacked the informant and his family members. The assailants were variously armed and caused a number of injuries to their victims. One Bhadeshwar Yadav succumbed to his injury.

4. The learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this



case along with her husband. Land dispute is admitted and Title Suit No. 1015 of 2015 has been going on between the parties for partition of the ancestral property. Both the parties belong to the same family. Only allegation against the petitioner is that she along with two other co-accused assaulted one Amit Yadav by means of bricks and injury report to the victim shows only pain on different parts of the victim. Except for this, there is no other allegation for any overt act against this petitioner. The petitioner is a lady and is in custody since 06.01.2023 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner is a lady and allegation is only of brick batting against her and also considering the clean antecedent of the petitioner along with her period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar (Industrial Area) P.S. Case No. 04 of



2023, subject to the condition mentioned in Section 437(3) of the Cr.P.C. and other the following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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