

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20052 of 2023

Arising Out of PS. Case No.-596 Year-2022 Thana- GOPALPUR District- Bhagalpur

SABITA DEVI W/O MUKESH YADAV Resident of Village- Sahora, P.S.-
Rangra, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Kumar Sharma, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Gopalpur P.S. Case no.596 of 2022 registered under sections 302, 147, 148, 149, 323 and 504 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, over a dispute between the parties in a marriage function, it is stated that on the orders of one Hira Lal Yadav, Mukesh Yadav fired hitting the brother of the informant in his back. Further on the orders of Sone Lal Yadav, Hira Lal Yadav fired hitting the brother of the informant in his chest as a result of which he fell down unconscious. On being taken to the hospital, the informant's brother was declared dead by the doctor.



4. Learned counsel for the petitioner submits that although the petitioner is named in the FIR, she is a lady and has been been falsely implicated in the case. The allegations are general and omnibus in nature. No specific overt act has been alleged against her. She is in custody since 28.11.2022 and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegations against the petitioner in the FIR, coaccused Mukesh Yadav and Hira Lal Yadav having been described as the persons who resorted to firing, the petitioner having remained in custody for 5 months since 28.11.2022, chargesshet having been submitted in the case and the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Gopalpur P.S. Case no. 596 of 2022 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Naugachhia (Bhagalpur).

(Partha Sarthy, J)

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