

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25373 of 2022

Arising Out of PS. Case No.-448 Year-2021 Thana- MAJHAULIA District- West Champaran

SONA DEVI Wife of Shiv Yadav Resident of village - Gudara Bintoli Ward
No.- 01, P.S.- Majhauria, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vashist Narain Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 09-01-2023 Heard Mr. Vashist Narain Mishra and Mr. Jitendra
Kumar Singh, learned APP for the State.

The petitioner apprehends her arrest in connection with Majhauria P.S. Case No. 448 of 2021 for the offence registered under Sections 302, 120(B) and 34 of the Indian Penal Code.

As per the prosecution story, the informant alleged that the accused persons named in the FIR stormed the house and gave knife blow in the stomach of Bhulani Devi, who died on the spot. He claimed to have identified the accused persons in the torch light, although the FIR says that they were masked. The further allegation is that prior to the occurrence, the accused persons had come armed variously to the door of Bhulani Devi and had threatened her of dire consequences alleging that she is 'DAYAN' .

Learned counsel for the petitioner submits that only on suspect, names have been given although there was no



source of identification as accused persons were masked and claims to have seen them in the torch light. The further submission is that similar placed accused persons have since been released by a Co-ordinate Bench of this Court on 30.11.2021 vide Cr. Misc. No. 23056 of 2022 and Cr. Misc. No. 23830 of 2022. The last submission is that the petitioner is a lady and do not have any criminal antecedent.

Taking into account the fact that she is a lady, no criminal antecedent, similar placed co-accuseds have since been released on bail as stated above, this Court is inclined to grant her privilege of anticipatory bail.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, District-West Champaran in connection with Majhauria P.S. Case No. 448 of 2021 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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