

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26729 of 2022

Arising Out of PS. Case No.-423 Year-2021 Thana- KESARIA District- East Champaran

SEEMA DEVI @ SIMA DEVI WIFE OF BRIJ KISHORE MUKHIYA R/O
VILLAGE- BATHNA, P.S.- KESHARIYA, DISTRICT- EAST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kundan Rathore@ Kundan Kumar, Advocate
For the State	:	Mr. Ram Priya Sharan Singh, APP
For the Informant	:	Mr. Sanjay Kumar Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under section 302 and other sections of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that over a trivial dispute between the children, the nine named accused persons including the petitioner herein came variously armed with lathi, danda etc and started to assault the informant's husband. Bhagwan Mukhiya and Vikash Mukhiya assaulted the informant's husband while Brijkishore Mukhiya and the petitioner assaulted the informant and her daughter.



It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case over a trivial dispute between children. The narration in the FIR has been magnified out of proportion. The petitioner who is a lady is in custody since 5.12.2021 and has no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the FIR together with the petitioner having remained in custody for more than a year since 5.12.2021 and not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Keshariya P.S. Case no. 423 of 2021 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 Chief Judicial Magistrate, East Champaran, Motihari.

(Partha Sarthy, J)

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