

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26572 of 2022

Arising Out of PS. Case No.-27 Year-2022 Thana- MAJORGANJ District- Sitamarhi

AFSHANA KHATOON WIFE OF MOLAKIM ANSARI R/O VILLAGE-
MAJORGANJ WARD NO.-11, P.S.- MAJORGANJ, DISTRICT-
SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar, Adv. Mr. Uday Kumar, Adv.
For the State	:	Mr. Abhay Kumar, APP
For the Informant	:	Mr. Ayush Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 16-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

As per the prosecution case, the petitioner is said to have given a blow with a rod on the head of the husband of the informant who on being taken to the hospital was declared dead.

It is submitted by learned counsel for the petitioner that the petitioner who is a lady has been falsely implicated in the case. The manner of occurrence is other than what has been narrated in the F.I.R. Even accepting the allegations, there is no repetition of blow. The petitioner is in custody since 6.2.2022



and has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that the petitioner is the assailant of the deceased.

Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R. wherein the petitioner is said to be the assailant of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew her prayer for bail in the learned court below after framing of charge. If such an application is preferred the same shall be considered on its own merit without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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