

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32119 of 2023

Arising Out of PS. Case No.-102 Year-2022 Thana- BARABAR TOURIST District-
Jehanabad

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Rekha Devi Wife of Bindo Choudhary R/O-Alahganj, P.S.-Barabar Prayatak
(Bishunganj), Distt.-Jehanabad

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-06-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period

of four weeks from today.

The petitioner seeks bail in connection with Barabar

Prayatak (Bishunganj) P.S. Case No. 102 of 2022 registered for

the offence under Sections 302 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in

custody since 16.03.2023.

The allegation against this petitioner is to commit

murder of son of informant alongwith other co-accused

persons/family members by causing assault with *lathi*, rod etc.

and also by pressing neck of the deceased, where occurrence



arises out of previous election dispute.

Learned counsel appearing on behalf of the petitioner submitted that petitioner being lady family member falsely implicated with present case only to harass the petitioner's side, particularly in view of the fact when specific allegation to cause fatal injury is available against co-accused, namely, Nitish Kumar. It is submitted that similarly situated co-accused, namely, Binod Chaudhary has already been granted bail by learned co-ordinate Bench of this Court through Cr. Misc. No. 69881 of 2022 vide order dated 09.05.2023. While concluding the argument, it has been submitted that petitioner is a lady of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposed the prayer of bail.

Considering the facts and circumstances as mentioned above, and by taking note of nature of allegation as regard to assault, which is appearing very much general and omnibus against this petitioner, who is a lady of clean antecedent coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 16.03.2022, accordingly the petitioner, above named, is directed to be released on bail in



connection with Barabar Praytak (Bishunganj) P.S. Case No. 102 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 learned Judicial Magistrate-I, Class, Jehanabad/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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