

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40814 of 2023

Arising Out of PS. Case No.-54 Year-2023 Thana- MUNGER MUFFASIL District- Munger

ARCHANA DEVI @ SUSHMA DEVI W/o Subodh Kumar Suman R/o
village Nandlalpur, P.S. Muffasil Munger, District-Munger

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jagnnath Singh, Advocate Md. Ghulam Mustafa, Advocate Mr. Bhargava Pandey, Advocate
For the Opposite Party/s :		Mr.Md. Shakir Ahmad, APP
For the Informant/s	:	Mr. Rajesh Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-07-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Munger Muffasil P.S. Case
No. 54 of 2023 dated 03.02.2023 registered for the offences
punishable under Sections 341, 323, 325, 307, 504, 302 and 506
read with 34 of the Indian Penal Code and Section 27 of the
Arms Act.

As per the prosecution case, the petitioner and the co-



accused persons are alleged to have abused the informant and his family members. On the order of the petitioner and the co-accused Subodh Kumar Suman, the co-accused Ritik Kumar fired from his pistol which hit on the head of the informant's wife. In the meantime, the co-accused Subodh Kumar Suman assaulted the informant with the butt of the pistol causing head injury. Thereafter, the petitioner and the co-accused persons assaulted the informant's brother causing injury and fled away.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that the specific allegation of firing is against the co-accused Ritik Kumar. The petitioner is a lady. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 04.02.2023.

Learned A.P.P. for the State as well as the learned counsel for the informant have vehemently opposed the bail petition of the petitioner by submitting that the petitioner caught hold of the deceased and the co-accused fired on her who died during the course of investigation.

Considering the aforesaid facts and circumstances of



the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Munger in connection with Munger Muffasil P.S. Case No. 54 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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