

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57108 of 2023

Arising Out of PS. Case No.-150 Year-2022 Thana- NAUGACHIA District- Bhagalpur

Hira Devi @ Hira Kumari W/O Triloki Kumar Jayswal @ Triloki Jayswal
R/O Village- Milki Goshala, Ps. Naugachia, Dist. Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 19-12-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Naugachia P.S. Case No. 150 of 2022 dated 07.06.2022 registered for the offences punishable under Sections 302 read with 34 of the Indian Penal Code.

4. As per the prosecution case, on the issue of keeping wood, the petitioner and the co-accused persons are alleged to have abused and assaulted the informant and her husband. In the meantime, Hira Devi and Roshni Devi kept on pressing the informant's husband hydrocele. Thereafter, the informant's husband was brought to hospital where doctor declared him dead.



5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Learned counsel has submitted that the post mortem report does not corroborate the prosecution story and the doctor has not found any external and internal injuries on the person of the deceased. It is further submitted that the petitioner is a lady. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Naugachia, Bhagalpur in connection with Naugachia P.S. Case No. 150 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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