

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50042 of 2022

Arising Out of PS. Case No.-182 Year-2022 Thana- SULTANGANJ District- Bhagalpur

Mala Devi Son Of Late Chandra Deep Bind @ Bhakal Bind @ Vokaran Bind
Resident Of Village - Dilgouri, Bind Tola, P.S.- Sultanganj, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Balram Kapri

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-02-2023 Learned counsel for the petitioner is permitted

to make necessary corrections in the prayer portion of

the petition.

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 302/34 of the Indian

Penal Code.

The allegation against the petitioner and others

is that they assaulted the son of informant and hanged

him at Neem Tree by tying his neck from a piece of



cloth.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither The informant has claimed to be the eye witness of the alleged occurrence nor anybody has stated that the petitioner was present in the feast. In the background of enmity the name of petitioner has been roped in the present case. There is no specific overt act of allegation against the petitioner and she is an old lady and suffering from so many diseases. Moreover, petitioner is languishing in judicial custody since 18.06.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail and submitted that witnesses have supported the prosecution case. The postmortem report is mentioned in para 33 of the case diary in which cause of death is Asphyxia and venous



congestion due to antemortem ligature strangulation.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sultanganj P.S. Case No. 182 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 the learned C.J.M., Bhagalpur.

(Sunil Kumar Panwar, J)

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