

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53546 of 2022

Arising Out of PS. Case No.-183 Year-2022 Thana- TURKAULIYA District- East
Champaran

PRIYANKA DEVI W/o Bidya Nand Giri, D/o Shree Narayan Giri @ Mansha
Giri R/o village- Semra Belwatiya, P.S.- Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 15-02-2023 Let the defect(s), if any, pointed out by the office

be removed within three weeks from the date of this order,
failing which the matter be listed again under the appropriate
heading for necessary action.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Turkauliya P.S. Case No.183 of 2022 registered for the offences
punishable under Sections 341, 323 and 307 and subsequently
added Section 302 of the Indian Penal Code.

As per the prosecution, the informant alleged that a
verbal altercation took place between his son and this petitioner
and due to which this petitioner hit the informant's son



(deceased) on his head by means of hard and blunt object and later on the victim succumbed to injury.

The main submissions advanced by the learned counsel Mr. Anil Kumar for the petitioner are that the FIR of the instant matter was lodged after the delay of two days from the date of the alleged occurrence, the petitioner is a woman and the informant is her mother-in-law, in fact the deceased was petitioner's husband, who was alcoholic and on the fateful day of occurrence he came in drunken state and fell down on a *chowki* and sustained head injury which resulted in his death and thereafter the informant fabricated the false story in order to oust the petitioner from her right to reside and claim in the land property of her deceased husband and moreover the petitioner has been languishing in jail since 03.03.2022.

Learned APP Mr. Binod Kumar appearing for the State has opposed the bail prayer.

Having considered the above submissions and mainly the genesis of the occurrence mentioned in the FIR and also the facts that the petitioner is a woman who happens to be the daughter-in-law of the informant and deceased is stated to be husband of the petitioner, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let



the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Turkauliya P.S. Case No.183 of 2022.

(Shailendra Singh, J)

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