

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56107 of 2022

Arising Out of PS. Case No.-63 Year-2021 Thana- NAUHATTA District- Saharsa

Savana @ Savana Khatoon W/O Md. Nisharuddin @ Munna Resident Of
Village- Barhara Ward No- 3, P.S.- Nauhatta (Darhar O.P.), District- Saharsa
... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh
For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 307, 302, 504, 506 of the Indian Penal Code.

Allegation against the petitioner is that she assaulted to the informant's mother at her leg by means of spear as a result of which informant's mother sustained injury thereafter she was taken to hospital for treatment, where she was declared dead.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. She has falsely been implicated in this case. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the allegation against this



petitioner is to inflict spear at the deceased leg which is not a vital part rather other co-accused inflicted injury to the informant's mother due to which she succumbed to injury. Moreover, similarly situated co-accused namely, Md. Nijamuddin @Badri has already been granted bail by a coordinate bench of this court vide order dated 26.11.2022 in Cr. Misc. No. 10767 of 2022. The petitioner is languishing in judicial custody since 2.3.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the fact that the petitioner is a lady, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Nauhatta P.S. Case No. 63 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate at Saharsa.

(Sunil Kumar Panwar, J)

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