

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60067 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- RAUTA District- Purnia

1. Sushila Devi W/O Bachcha Lal Chaudhary @ Bachchulal R/O Village- Dumaria, Ps. Rauta, Dist. Purnea
2. Anita Devi W/O Mukesh Chaudhary R/O Village- Dumaria, Ps. Rauta, Dist. Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-09-2023 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a period
of four weeks from today.

3. The petitioners seek bail in connection with Rauta
P.S. Case No. 21 of 2023 registered for the offence under
Section 302/34 of the Indian Penal Code.

4. The accused/petitioners are named in the F.I.R. and
are in custody since 07.06.2023.

5. The allegation against the petitioners is to commit
murder of brother of informant by assaulting brutally, while he
was visiting his in-laws house with allegation that subsequent to



physical assault, poison was also administered causing his death.

6. Learned counsel appearing on behalf of the petitioners submitted that petitioner no. 1 is mother-in-law, whereas petitioner no. 2 is wife of the deceased. It is submitted that informant is not the eye witness of the occurrence and entire allegation is based upon suspicion. It is submitted that the death of brother of informant was natural as no mark of physical assault was noticed during post-mortem, contrary to the allegation as raised through written information, *qua*, physical assault. It is also submitted that allegation is appearing very much general and omnibus and by taking note of the said fact, co-accused Bachcha Lal Chaudhary, who is father-in-law of the deceased, has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 43004 of 2023 vide order dated 21.07.2023. While concluding the argument, it has been submitted that both petitioners are ladies of clean antecedents and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP opposes the prayer of bail.

8. Considering the facts and circumstances as



mentioned above and by taking note of the fact as allegation of physical assault is appearing, *prima facie*, very much general and omnibus against these petitioners, who are ladies of clean antecedents coupled with the fact that charge-sheet has already submitted, where petitioners are in custody since 07.06.2023, accordingly both the petitioners, above named, are directed to be released on bail in connection with Raut P.S. Case No. 21 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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