

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59245 of 2023**

Arising Out of PS. Case No.-674 Year-2022 Thana- HISUWA District- Nawada

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DHANMANTI DEVI W/O NANDKISHOR PRASAD @ NAND KISHORE  
YADAV R/O VILLAGE- MATUK BIGHA, P.S- HISUA, DISTT.-  
NAWADA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Pandey No.5, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      05-09-2023                      Heard the parties.

2. The petitioner is in custody in connection with Hisua P.S. Case No. 674 of 2022 for the offence under sections 302/34 of the Indian Penal Code lodged on 13.11.2022 by the informant, Balmiki Yadav.

3. As per the prosecution story, the allegation is that the accused Nand Kishore Yadav took the maternal grand child of the informant from the lap of her mother and threw him on the ground causing his death in Sadar Hospital Nawada in course of treatment.

4. Further allegation is that when the informant went there to rescue family members, he was also assaulted by the other accused persons. Accordingly the FIR.



5. Learned counsel for the petitioner submits that she is a lady, no specific role attributed to her, Nand Kishore Yadav was the person who snatched and threw the child on the ground causing his death, is in custody since 16.07.2023 (as stated in paragraph 36 of the petition).

6. Learned APP opposes the prayer for bail stating that the allegation against her is of assaulting the informant side.

7. Considering the fact that specific allegation has been made against one Nand Kishore Yadav, she is a lady, is in custody since 16.07.2023, this Court is inclined to extend her the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Nawada, in connection with Hisua P.S. Case No. 674 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

9. With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

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