

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57627 of 2022

Arising Out of PS. Case No.-57 Year-2021 Thana- PATAHI District- East Champaran

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TILESHWARI DEVI Wife of Tejilal Prasad Kushwaha @ Tejilal Prasad @
Tejilal Kushwaha Resident of Village- Sugapipar, P.S.- Patahi, District- East
Champaran Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 23-06-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Sections 341, 323, 302, 380, 506,34 of the
Indian Penal Code.

As per allegation in the FIR, while the informant was
in his field and heard about assault to his mother by the FIR
named accused person, he rushed towards his house and saw
that all accused persons including the petitioner was assaulting
his mother with brick from back side as a result of which she
received cut injury on her head and fell down and later on she
succumbed to the injuries. They also took out ornaments,
clothes and cash from his house and threatened him to kill if he
files a case.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case due to village politics and previous enmity. Informant's mother was old lady and she died a natural death. Allegedly, several accused persons including the petitioner were said to have assaulted the informant's mother but as per postmortem report, deceased sustained only one injury over occipital region of head. The alleged occurrence took place at the spur of moment. There is no allegation or proof of repeated assault. Petitioner is a lady. She is languishing in judicial custody since 4.5.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 8th Additional Chief Judicial Magistrate, East Champaran at Motihari in connection with Patahi P.S. Case No. 57 of 2021.

(Sunil Kumar Panwar, J)

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