

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66057 of 2023

Arising Out of PS. Case No.-1 Year-2021 Thana- YADOPUR District- Gopalganj

Fulmati Devi Son Of Shiv Kumar Chaudhary Resident Of Village-
Khwajepur, (GARHPAR), Ps- Jadopur, Distt- Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has filed the instant application for grant of regular bail in connection with Sessions Trial no. 231 of 2021 arising out of Jadopur P.S. Case no. 1 of 2021 registered under section 302/34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that while the petitioner and one another caught hold of her husband's leg, he was brutally assaulted by Shiv Kumar Chaudhary with a *Gadasa* leading to his death.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case because of dispute between them, both the parties being neighbours. The petitioner who is a lady is in custody since 3.1.2021 and the trial has commenced in the learned trial Court. The petitioner undertakes to cooperate in the trial.

5. The application for bail is opposed by learned A.P.P. for the State.



6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, investigation in the case having concluded and trial having commenced together with the petitioner who is a lady having remained in custody for more than two years and nine months since 3.1.2021, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no. 231 of 2021 arising out of Jadopur P.S. Case no. 1 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-X, Gopalganj.

7. It is directed that the petitioner shall remain physically present in Court on each day of the trial and shall cooperate in the trial.

8. In case the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner or the petitioner is absent on any single day for reasons not to the satisfaction of the learned trial Court, the learned trial Court may cancel the bail bond of the petitioner and take her into custody till conclusion of the trial.

(Partha Sarthy, J)

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