

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61574 of 2022

Arising Out of PS. Case No.-255 Year-2021 Thana- SHAHKUND District- Bhagalpur

Punam Devi Wife Of Jugal Mandal @ Jugal Kishore Mandal R/V-
Pardominyamaal, P.S.- Shahkund, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 302, 34 of the Indian Penal Code.

The prosecution case as per F.I.R is that on
18.09.2021 at 3:00 A.M., the son of the informant went
to attend toilet, but on way, he was taken to Panchayat
Bhawan by all the F.I.R named accused persons
including the petitioner and after confining him in
Panchayat Bhawan they started mercilessly beating. It is
further alleged that after having come to know, the



informant and her family members went to the Panchayat Bhawan and asked to open the door but the accused persons did not open the door. Thereupon, Sarpanch Suresh Mandal reached and asked the accused persons to open the door. Later on, all the accused persons after opening the door fled away and her son was found in unconscious condition. He was thereafter taken to the hospital where he was declared dead.

It is submitted by learned counsel for the petitioner that petitioner is innocent and she has falsely been implicated in this case. The informant is not the eye witness to the occurrence. There is no specific accusation against the petitioner. There is general and omnibus allegation against the petitioner. It is next submitted that even for the sake of argument, the occurrence has taken place in a confined place, hence, it is very difficult to allege that on whose assault, the deceased has succumbed to the injuries. The petitioner is a lady and she is languishing in custody since



18.09.2021. Moreover, other similarly situated co-accused have been granted bail by a coordinate Bench of this Court vide order dated 08.02.2023 passed in Cr. Misc. No. 31730 of 2022 and other analogous cases.

In the facts and circumstance of the case, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-XVII, Bhagalpur in connection with Shahkund P.S. Case No. 255 of 2021 (Sessions Case No. 12 of 2022).

(Sunil Kumar Panwar, J)

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