

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62835 of 2022

Arising Out of PS. Case No.-164 Year-2022 Thana- BIKRAMGANJ District- Rohtas

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Lovely Kumari W/O Late Maharshi Dev R/O Village- Barna, P.S-
Bikramganj, District- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 25-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bikramganj P.S. Case No. 164 of 2022 lodged under Sections
302/ 120B of the I.P.C.

As per the prosecution case, the allegation has been
made against the present petitioner that her marriage was
solemnized with son of the informant. It has been alleged that
the petitioner was always pressurizing to her husband to sell the
property and settle at her *Naihar*. For that she was continuously
torturing to the deceased. It has been alleged that on the day of
23.04.2022, the petitioner had closed her bedroom. It was

opened forcefully, then it was seen that the petitioner had assaulted her husband and committed teeth bite at the various places, due to which the deceased injured and went to hospital, where doctor has declared him dead.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that putting pressure to sell the property and settle at *Naihar* is one aspect of the matter and for that killing of the husband is different aspect of the matter. Counsel submits that from the post-mortem report, the cause of death has not been ascertained by the doctor. Counsel also submits that according to post-mortem report, the team of doctor didn't record any finding on the deceased of any mark of tooth biting on the chest and neck. Counsel submits that the petitioner is subject to a deep rooted conspiracy. Counsel further submits that antecedent of the petitioner is clean and she is in custody since 03.06.2022.

Learned counsel for the State opposes the prayer for bail but submits that there is absence of tooth biting.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that there is a direct evidence that petitioner has caused death by virtue of tooth biting to her husband.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas in connection with Bikramganj P.S. Case No. 164 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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