

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65349 of 2023

Arising Out of PS. Case No.-53 Year-2023 Thana- PASRAHA District- Khagaria

Lalita Devi W/O Udeswar Singh @ Umesh Singh Resident Of Village Badhi
Bandehra Ps Pasraha District Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 324, 326, 307, 302, 504, 506 and 34 of the Indian Penal Code.

3. Allegation against the petitioner along with other co-accused persons is that they assaulted the informant's husband. It is further alleged that this petitioner along with other co-accused person, namely, Niranjana Singh stabbed the informant's husband on three to four places on his body due to which he sustained injuries and succumbed to injuries. They also assaulted the informant along with her family members due to which they sustained injuries and the reason behind this as alleged occurrence is said to be land dispute.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. She has falsely been implicated in this case due to land dispute and both parties are neighbour. As per para-3 of this case diary, police came to knowledge that all the FIR named accused persons assaulted the informant's husband due to which he died but as per prosecution case, this petitioner and one co-accused person stabbed the informant's husband due to which he sustained injuries and succumbed to injuries which is contradictory in itself. Postmortem report also does not in consonance with the prosecution version as only one external incised wound on upper abdomen and abrasion on lower abdomen. The doctor opined that the cause of death of the deceased is due to haemorrhage and shock. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, she is languishing in judicial custody since 21.03.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts that petitioner being a lady and her period of custody, this court is inclined to enlarge the petitioner on bail.



The above named petitioner is directed to be released on bail in connection with Pasraha P.S. Case No. 53 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Khagaria.

(Sunil Kumar Panwar, J)

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