

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71919 of 2022

Arising Out of PS. Case No.-176 Year-2022 Thana- BAKHARI District- Begusarai

Babita Devi @ Babita Kumari W/O Bhikhar Sharma R/O Village- Mauji
Than Singh, P.S- Bakhri, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	: Mr. Shashank Shekhar, Advocate
For the Opposite Party/s	: Mr. Kumar Veerendra Narayan, APP
For the Informant	: Mr. Anshu Dhar Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-03-2023 Heard learned counsel appearing on behalf of the

petitioner, learned counsel appearing on behalf of the State and

learned counsel for the Informant.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Bakhri
P.S. Case No. 176 of 2022 registered for the offence under Sec-
tions 302 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 05.06.2022.

The allegation against the petitioner is to commit the
murder of son-in-law of informant alongwith other co-accused
persons, causing assault with Bamboo stick, rod etc. due to long



standing land dispute.

Learned counsel appearing on behalf of the petitioner submitted that from the face of FIR itself, the specific allegation as to cause fatal assault is available against co-accused Dipak Kumar, where allegation against petitioner is very much general and omnibus, where he appears to be implicated falsely for the reason that she is also one of the co-sharer of the property. It is also submitted that similarly situated co-accused, namely, Madhu Devi has already been granted bail by this Court vide order dated 29.09.2022 passed in Cr. Misc. No. 51228 of 2022. While concluding the argument, it is submitted that petitioner is a lady of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, duly assisted by learned counsel Mr. Anshu Dhar Sharma, for the informant while opposing the prayer of bail submitted that the allegation of collective assault is available against this petitioner causing death of son-in-law of informant.

Considering the facts and circumstances as mentioned above, as allegation as regard to assault appearing very much general and omnibus against this petitioner, who is a lady of



clean antecedent, coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bakhri P.S. Case No. 176 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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