

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69669 of 2022

Arising Out of PS. Case No.-86 Year-2022 Thana- GADHPURA District- Begusarai

INDU DEVI, W/o Ramanand Mahto @ Ramanand Ray, R/v- Baluaha, P.S.-
Garhpura, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 04-03-2023 Today being Saturday, matters are being taken up through
virtual mode, as per current procedure for hearing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Gadhpura P.S.
Case No. 86 of 2022 registered for the offence punishable under
Sections 302, 379 and 34 of the Indian Penal Code.

There is allegation in the FIR that six accused persons,
including the instant petitioner, have indiscriminately assaulted the
informant's husband over some land dispute.

Learned counsel for the petitioner submits that falsity of
the FIR is evident from the delay of nearly six days in lodging the
FIR. Even as per the prosecution case, the petitioner is an elderly
family member of the accused persons and has been made an accused
apparently based on land dispute, which fact is also borne from the
FIR. It is submitted that having no antecedents, she is in custody
since 16.08.2022. The FIR does not disclose any specific overt act



against the petitioner. Moreover, investigation is also complete.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, nature of accusations, the fact of petitioner being a female and aged about 60 years and period of custody, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by learned counsel for the petitioner.

Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned J. M. 1st Class, Begusarai, in connection with Gadhpura P.S. Case No. 86 of 2022, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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