

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9936 of 2024

Arising Out of PS. Case No.-294 Year-2023 Thana- KATORIYA District- Banka

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Suman Devi @ Suma Devi W/o Madan Yadav R/o vill - Mohpatta, P.S. -
Katoriya, Distt. - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Nurul Hoda

For the Opposite Party/s : Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 27-02-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 302 and 34
of the Indian Penal Code.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is a woman.
4. The informant alleges that on 26.07.2023 while his
wife was grazing the cattles in the field when on account of
some dispute, the accused persons including the petitioner came
and assaulted his wife by fist and foot causing injury in her
stomach and chest thereafter she was treated by a local doctor
where she died during the course of treatment on 13.08.2023.
5. Learned counsel for the petitioner next submits that



the date of occurrence is 26.07.2023 and the FIR has been instituted on 14.08.2023 i.e. after a delay of nearly more than 18 days without any plausible explanation. It is next submitted that if what has been alleged in the FIR is true in that event the deceased would have been admitted in a hospital either government or private but then the informant alleges that she was under treatment of a local doctor where she died during the course of treatment but then the police was also not informed which casts an aspersion on the case of the prosecution. It is also submitted that the allegation is general and omnibus in nature and the informant is not an eye witness to the occurrence nor in the FIR he alleges that his wife had disclosed about the occurrence.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case



is pending/successor court in connection with Katoriya P.S.
Case No. 294 of 2023 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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