

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16979 of 2024

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

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BUNKI DEVI W/O- KESHO YADAV @ KESHAV YADAV R/O-
VILLAGE- MOHPATTA, P.S.- KATORIYA, DIST.- BANKA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 12-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered in connection with Katoriya PS Case No. 294/2023 for the offences punishable under Sections 302/34 of the IPC.

3. The learned counsel for the petitioner submits that the petitioner is a person of clean antecedent and is a woman.

4. The informant alleges that on 26.07.2023 while his wife was grazing the cattle 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 on 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 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 the injured 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 of assault 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. opposes the bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate,



Banka in connection with Katoriya PS Case No. 294/2023,
subject to the conditions laid down under Section 438(2) of the
Cr.P.C.

(Satyavrat Verma, J)

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