

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28082 of 2024

Arising Out of PS. Case No.-335 Year-2023 Thana- SINGHESHWAR District- Madhepura

1. Nilam Devi wife of Sri Upendra Sutihar Village- Sirsia W.No-3, Ps- Singheshwar Dist- Madhepura
2. Asha Devi wife of Sri Abhay Sutihar Village- Sirsia w.No-3, Ps- Singheshwar Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Raj Shekhar, Advocate

For the State : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 07-08-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 302, 504 and 34 of the Indian Penal Code.

3. As per prosecution case, on 16.11.2023 at about 11-12 o'clock in the daytime, the she goat of informant's elder brother, namely Pawan Sutihar, entered into field of co-accused Upendra Sutihar. It is alleged that for the aforesaid reason, all the accused persons named in the F.I.R., including these petitioners, and five unknown persons, abused Pawan Sutihar and brutally assaulted him, as a result of which he died on the spot.



4. It is submitted by learned counsel appearing on behalf of the petitioners that due to petty dispute, a maar-peeet took place between the parties. Allegations of assault is general and omnibus. In the inquest report, no external injury was found on the body of the deceased. As a matter of fact, the deceased died due to natural ailment. During course of investigation, wife of the deceased has categorically stated that it was the male members of the family who assaulted the deceased and caused death and she has not alleged any overt act against these petitioners. Petitioners are ladies of clean antecedents.

5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, nature of accusation and the fact that petitioners are ladies of clean antecedents, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Singheshwar P.S.



Case No. 335 of 2023, subject to condition as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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