

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28151 of 2024

Arising Out of PS. Case No.-40 Year-2022 Thana- SULTANGANJ District- Patna

Jyoti Devi, W/o Anil Matho @ Anil Mahto, Resident of Mohalla- Shivpuri,
Tikiatoli Chai Tola, P.S.- Sultanganj, Dist.- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 05-07-2024 Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Sultanganj P.S. Case No. 40 of 2022 dated 08.02.2022 registered
for the offences punishable under Sections 341, 323, 302 and
338 read with Section 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a lady and she has been falsely implicated in this
case only because she is wife of one co-accused Anil Mahto and
the allegation against this petitioner is of only holding the hands
and legs of the deceased and from the FIR, it is evident that
there was dispute regarding partition of the ancestral house
between the deceased and her bhaisur (brother-in-law) and the
petitioner has no role to play in the said dispute so the charge



under Section 302 of IPC can not be attributed against her and it seems to be motivated one. Learned counsel further submits that as per the fardbeyan, the petitioner had not played any active role in hitting the deceased with bricks and stones and charge has been framed against her on 11.04.2023 and the trial has also started and two similarly situated co-accused persons, namely, Manju Devi and Kiran Devi have been granted bail by this Court vide order dated 01.03.2024 passed in Cr. Misc. Nos. 10995/2024 and 10260/2024 respectively. Learned counsel further submits that the petitioner has been languishing in jail since 09.02.2022 having fair and clean antecedent and till date, no prosecution witness has turned up.

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

5. Heard both the sides and perused the FIR. Having regard to the afore-mentioned submissions and the facts that the petitioner is a lady having clean antecedent and the allegation against her is general and omnibus, and also, her custody period, this Court is inclined to grant privilege of bail to the petitioner. Accordingly, let the petitioner named-above 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



concerned Court in connection with Sultanganj P.S. Case No. 40
of 2022.

(Shailendra Singh, J)

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