

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48245 of 2024

Arising Out of PS. Case No.-311 Year-2023 Thana- KASBA District- Purnia

Chinta Devi W/O Kumar Singh R/O Village-Kanmani,P.S.-Indarpuram, Distt-Gaziabad(UP) as per Aadhar card Address-Mohni colony,Mohani,Purnia,P.S.-Kasba, Distt-Purnia,Pin-854330

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Kasba P.S. Case No. 311 of 2023 instituted for the offences under Sections 302/120(B) and 34 of the Indian Penal Code amended to Section 306/34 of the Indian Penal Code.

3. As per prosecution case, the accusation against the accused persons including the petitioner is of throttling the deceased due to pending land dispute between the petitioner and the Informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against her and has falsely been implicated in the present case.



The petitioner is a lady. There is an admitted land dispute between the parties. Learned counsel for the petitioner submits that there is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 05.04.2024 without any rhymes or reason. Although the F.I.R. was registered for offence under Sections 302/120(B) and 34 of the Indian Penal Code but, later on, after completion of investigation, the police submitted charge-sheet against the petitioner under Section 306/34 of the Indian Penal Code.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, submitting that the petitioner is named in the F.I.R. and specific and direction allegation has been made against her. The offence is serious in nature and, thus, she does not deserve bail.

6. Having heard rival contention of both the parties and considering the period of custody of the petitioner who is a lady having no criminal antecedent as well as there being no specific or direct allegation against her, let the petitioner, abovenamed, be released on bail, on furnishing bail bonds of



Rs.10,000/- (Ten thousand) with two sureties of the like amount
each to the satisfaction of Court below/concerned Court in
connection with Kasba P.S. Case No. 311 of 2023.

(Rudra Prakash Mishra, J)

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