

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53952 of 2024

Arising Out of PS. Case No.-122 Year-2022 Thana- BARHAT District- Jamui

Rinku Devi W/o Sri Dilip Rai R/o vill - Tengaha, P.S. - Barahat, Distt. - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Mahto

For the Opposite Party/s : Mr. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-08-2024 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, 304
and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a woman.

4. The informant alleges that on account of dispute
relating to land, the accused persons including the petitioner
came on 05.09.2022 and were quarreling with her husband,
further petitioner brought an iron rod from her house and started
assaulting the husband of the informant on leg which got
fractured, further during the course of treatment, the leg had to
be amputated and her husband subsequently died on 08.10.2022.



5. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that the date of occurrence is 05.09.2022 and the FIR came to be instituted on 09.10.2022 i.e. after the death of the husband of the informant on 08.10.2022, which casts an aspersion on the case of the prosecution. It is also submitted that if what has been alleged by the informant in the FIR is true, in that event the hospital would have informed the police about the occurrence, but then the same was not done, it is next submitted that even the cause of death as recorded in the postmortem report is cardiac failure, it is next submitted that in the nature of allegation, it can be construed safely that assault was not the proximate cause of death of the husband of the informant.

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 Barahat P.S. Case No. 122 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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