

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52613 of 2024

Arising Out of PS. Case No.-10 Year-2023 Thana- BELSAND District- Sitamarhi

Hitiya Devi @ Rita Devi WIFE OF RAJESHWAR THAKUR Resident of
village- Belsand PS -Belsand district -Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with a case
registered for the offence punishable u/s 302 read with section
34 of the IPC.

3. Allegation against the petitioner is that she assaulted the
father of the informant near the left eye by means of a piece of
stone and father of the informant received grievous injury and
died in course of treatment.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. No such occurrence, in the manner as
alleged has ever taken place. She has been falsely implicated in
this case due to ulterior motive. It is submitted that the



postmortem report (enclosed at annexure-P/4) has not supported the prosecution case. The petitioner has no criminal antecedent and has been languishing in custody since 30.04.2024 and other co-accused has been granted anticipatory bail by this Court.

5. Learned APP for the State opposed the prayer for bail.

6. Considering the facts and circumstances of this case and that petitioner is a lady and in under custody for more than three months, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/the Successor Court, in connection with Belsand P.S. Case No.10 of 2023.

7. However, the petitioner is directed to co-operate in the trial and if she fails to appear on two consecutive dates before the Court below, her bail bond shall be cancelled by the learned court below itself.

(Anjani Kumar Sharan, J)

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