

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53765 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- DANIYAWAN District- Patna

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GANITA DEVI W/O SRI PAPPU SINGH @ RAJ KISHORE SINGH R/o
VILLAGE- KOHAWAN, P.S- DANIYAWAN, DISTT.- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Sinha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 23-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Daniyawar P.S. Case No. 34 of 2024 for the offence punishable under Sections 341, 323, 307, 379, 504, 34 of the Indian Penal Code and section 302 of the Indian Penal Code was added lodged on 25.02.2024 by the informant, Bhola Singh.

3. As per the prosecution story, the informant alleged that due to cleaning of the drainage in front of the house, when the same was objected, it followed the abuse and assault. The specific allegation is against Dhanesh Singh and Pappu Singh of having giving iron rod blow on the head of the informant's uncle causing injuries. Further allegation against the ladies is/are of using brick to assault. He was rushed to the hospital



which followed the FIR. Subsequently, the unfortunate death took place.

4. Learned counsel for the petitioner submits that a bare perusal of the FIR would show that the main allegation is/are against the Dhanesh Singh and Pappu Singh of giving iron rod blow on the head of the deceased. Only to implicate the ladies, the story of throwing the brick has been incorporated. She has already suffered by being in custody since 26.02.2024 (para-4 of the petition).

5. Learned APP opposes the prayer submitting that her role has also been incorporated in the FIR.

6. Having considered rival submissions, the FIR shows that the allegation mainly is against Dhanesh Singh and Pappu Singh of giving iron rod blow to the informant's uncle. Though, there is allegation against this petitioner of using brick, she being lady, is in jail since 26.02.2024 having no criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna City, Patna, in connection with Daniyawan



P.S. Case No. 34 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

(Rajiv Roy, J)

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