

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67121 of 2024

Arising Out of PS. Case No.-79 Year-2024 Thana- AURAI District- Muzaffarpur

Neetu Devi @ Nitu Devi, W/o- Amarjeet Sah @ Amarjit Sah, resident of
Village- Nayagaon, PS-Aurai, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Aurai P.S. Case No. 79 of 2024, registered for the alleged offences under Sections 307, 341, 323, 325, 379, 504, 506/34 of the Indian Penal Code.

03. As per prosecution case, the petitioner was married with co-accused Sanjeet Kumar, who subsequently started demanding Rs. 6 lacs in dowry. On the fateful night, the petitioner and other co-accused persons assaulted the informant causing fracture of her hand. The allegation against the petitioner is that she burnt the shoulders of the informant by heated iron rod. The informant was further assaulted by other co-accused persons and the informant received a number of injuries.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The allegation against the petitioner is that she burned the shoulders of the informant, but in fact, no such occurrence took place as alleged by the informant, who earlier lodged Mahila P.S. Case No. 3 of 2023 against the petitioner and other family members under Sections 498(A) read with other minor sections of the IPC and Section 3/4 of DP Act. The injury report of the victim falsifies the allegation against the petitioner as only two injuries have been found on the person of the victim Kiran Devi and the injuries are lacerated wound on parietal region of scalp and abrasion of nasal septum and the second injury has been found to be grievous, but there is no allegation against the petitioner for causing the said injury. From the facts of the FIR, no offence under Section 307 IPC is made out. The petitioner is having criminal antecedent of one case, but in the said case, she is on bail. The petitioner, who is a lady, is in custody since 01.08.2024.

05. Learned APP vehemently opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the



fact that the petitioner is a lady and allegation against her is general and further considering the period of custody of the petitioner, the petitioner above named is directed to 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 learned Judicial Magistrate 1st class, Court No. 03, East Muzaffarpur, in connection with Aurai P.S. Case No. 79 of 2024, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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