

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66586 of 2023

Arising Out of PS. Case No.-125 Year-2022 Thana- TETERHAT District- Lakhisarai

Puja Devi @Pinki Devi@Pinki Kumari Shaw W/O Satish Sah Village-
Tetariya, Ps. Barhat, Dist. Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

3. As per FIR, allegation against the petitioner is that she put her leg on the chest of the deceased and subsequently the deceased passed away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is no specific overt act against the petitioner. He submits that there is general and omnibus allegation levelled against the petitioner. He submits that the postmortem report has not supported the prosecution case. He submits that the Doctor examined the dead body and found that



cause of death-C. R. failure due to brain injury caused by hard and blunt substance. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

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

6. Considering the facts and circumstances of the case and the fact that the postmortem report has not supported the prosecution case against the petitioner, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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/successor court in connection with Teterhat P.S. Case No. 125 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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