

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69866 of 2023

Arising Out of PS. Case No.-150 Year-2023 Thana- SURYAGARHA District- Lakhisarai

Babita Devi, Wife Of Late Gulshan Mahto @ Golu @ Gulo Resident Of
Village - Laxmipur, P.S. - Surajgarha (manikpur), District - Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 29-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Surajgarha (Manikpur) P.S. Case No. 150 of 2023, lodged on
30.04.2023 under Sections 302, 34 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against seven named accused persons including the present
petitioner against whom there is an allegation that they have
killed the informant's son.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that petitioner is the wife of the deceased and
informant is the mother in law of the petitioner. Counsel further
submits that from the contents of the FIR, the allegation has



been made against all the family members including the wife, son, daughters of the deceased. Counsel submits that the petitioner is a lady aged about 40 years and ready to fulfil all the conditions whatsoever shall be imposed upon her.

5. Learned counsel for the petitioner submits that the deceased was a great drunker who used to take heavy drink and also engaged in trading illicit liquor and in the stage of intoxication, he used to torture and beat the family members. Counsel submits that on the said date, the deceased again come in drunken state and due to fear, the family members closed the door of the house and they were completely unknown that what has happened outside the house. Counsel further submits that other co-accused person has been granted bail by the co-ordinate bench of this Court *vide* order dated 30.01.2024 passed in Cr. Misc. No.71673 of 2023. Counsel submits that the antecedent of the petitioner is not clean and there is one criminal case pending against her in which she is on bail. The petitioner is in custody since 01.05.2023 in the present case.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above**



named be granted bail, on furnishing bail bonds of Rs.30,000/-
(Rupees Thirty thousand) with two sureties of the like amount
each to the satisfaction of learned Chief Judicial Magistrate,
Lakhisarai in Surajgarha in connection with Surajgarha
(Manikpur) P.S. Case No. 150 of 2023, subject to the conditions
as laid down U/s 437(3) Cr.P.C.

(Dr. Anshuman, J.)

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