

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70837 of 2023

Arising Out of PS. Case No.-316 Year-2022 Thana- PHULWARIYA District- Gopalganj

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Muskan Khatoon Daughter Of Mokhtar Ali @ Mukhtar Ali Resident Of
Village - Gidhan Police Station - Fulwariya (Shripur O.P.), District -
Gopalganj

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/S

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr.Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a
case registered for the offence punishable under sections 341,
323, 302 and 504, 34 of the Indian Penal Code.

3. As per FIR, the petitioner and co-accused
persons due to land dispute started abusing the informant and
his family members when the informant protested, then the
petitioner assaulted on the head of the informant's wife by
means of lathi due to which her wife sustained injuries and
succumbed to injuries.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. She has falsely been implicated in this present case due to dirty village politics and previous land dispute. It is submitted that there is no repetition of lathi blow upon the person of the informant. As per Postmortem Report, not a single external injury was found on the body of the deceased hence the postmortem report is not in consonance with the prosecution case. It is further submitted that the petitioner has got no criminal antecedent. Moreover, she is languishing in judicial custody since 31.07.2023.

5. Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody as well as being lady, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Fulwariya (Phulwaria) P.S. Case No. 316 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the



like amount each to the satisfaction of learned Additional
Chief Judicial Magistrate-XVI, Gopalganj.

(Sunil Kumar Panwar, J)

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