

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10424 of 2024

Arising Out of PS. Case No.-158 Year-2020 Thana- BENIPATTI District- Madhubani

Kaushalya Devi @ Bhulli Devi W/O Vishwanath Mukhiya (Wrongly
Mentioned In The Fir, R/O Vill- Behta West Tole, Ps. Benipatti) R/O Vill-
Sauhash, Ps. Bisfi (Patauna), Dist. Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav, Adv. Mr. Ravi Prakash, Adv. Mr. Rajesh Kumar, Adv.
For the Opposite Party/s	:	Mr. Nand Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 03-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Benipatti P.S. Case No. 158 of 2020 instituted for the offences
under Sections 448, 341, 323, 307, 302, 380, 427, 504/34 of the
Indian Penal Code.

3. The prosecution case, in short, is that owing to land
dispute going on in the family, the accused persons including the
petitioner assaulted the son of the Informant due to which he
sustained injuries and later succumbed to the injuries.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. The petitioner has no concern with the alleged occurrence. There is an admitted land dispute between the parties. There is no direct or specific allegation of assault against the petitioner. The petitioner is a lady. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 18.08.2023.

5. Learned counsel for the petitioner again submits that the co-accused Vishwananth Mukhiya @ Shiv Nath Mukhiya has been granted bail by this Court vide order dated 01.03.2024 passed in Cr. Misc. No. 6237 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner being lady having no direct allegation and the claim based on parity, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with



Benipatti P.S. Case No. 158 of 2020.

(Rudra Prakash Mishra, J)

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