

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9703 of 2025

Arising Out of PS. Case No.-352 Year-2024 Thana- JHAJHA District- Jamui

Malti Devi, Female, aged about 42 years, wife of Narayan Yadav, resident of Village- Kanan, P.S.- Jhajha, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Jhajha PS Case No.352 of 2024 dated 15.08.2024, instituted under Sections 105, 3(5) of the *Bharatiya Nyaya Sanhita*, 2023.

3. The prosecution case, in brief, is that the informant and the husband of the petitioner are full brothers. There is a dispute regarding partition of land. On the alleged date of occurrence, when the wife of the informant was cleaning the grass, the petitioner is said to have started quarrel with her. During quarrel, wife of the informant became unconscious. The informant was not present in the house and when he came from market he found his wife unconscious. Thereafter, he immediately took her to Jhajha Refreral Hospital where the



doctor declared him dead.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that as per the FIR during quarrel the wife of the informant became unconscious and the informant was not present in his house at that time. There is nothing specific against the petitioner. Both sides are agnates. Due to land dispute, the present case has been lodged. In fact, wife of the informant died due to heart attack which is apparent from *post mortem* report (Annexure-2). It is also submitted that during *post mortem* no any external injury has been found on any part of the body. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui, in Jhajha PS Case No.352 of 2024, subject to the conditions laid down in Section 482(2) of



the *Bharatiya Nagarik Suraksha Sanhita*, 2023.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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