

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32759 of 2025

Arising Out of PS. Case No.-109 Year-2024 Thana- BAGENGOLA District- Buxar

Sushila Devi W/O - Rajendra Singh vill - Barhari tola, chhapra, ps - Bagengola, Dist-
Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Pandey, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 26-05-2025 Heard the learned counsel for the petitioner and
the learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Bagengola P.S. Case No.109 of 2024 registered for the offences punishable under Sections 191(1), 191(2), 190, 329(3), 115(2), 118, 117(2) & 103(1) of the BNS. Petitioner has no criminal antecedent.

3. As per the prosecution case, the informant has stated that all the five named accused persons are said to have assaulted the informant as well as his father-in-law, namely, Baijnath Singh with sharp cutting weapons and *lathi*, *danda*, etc. It has been further alleged that one, Sushila Devi (petitioner) gave repeated sickle blow on the body of Baijnath Yadav. It has further been alleged that all the accused persons started assaulting the other members of the



informant's family and others have also received injuries, however, the said Baijnath Singh, during the course of his treatment succumbed to his injuries.

4. The learned counsel for the petitioner submits that the petitioner, being a lady is innocent and has falsely been implicated in this case which occurred due to the personal dispute between the families. The learned counsel has further stated that the petitioner is alleged to have assaulted Baijanth Singh with sickle, however, from perusal of the post-mortem report, which has been brought by way of Annexure-2, shows that there is no such injury caused/inflicted by the sickle, which has caused the death of the said injured (Baijantah Singh). Learned counsel, infact, pointed out that the cause of death has been stated to have been the injuries caused by hard and blunt substance. Lastly, it has been submitted that the petitioner has clean antecedent and she is in judicial custody since 31.10.2024.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that there is specific allegation against the petitioner to have assaulted the father-in-law of the informant, namely, Baijnath Singh, who later succumbed to his injuries.



6. Considering the aforesaid submissions made by the respective parties and taking into account the fact that the injuries sustained by the Baijanth Singh does not corresponds to the injuries stated to have been inflicted by the petitioner and also taking into account the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned Additonal Chief Judicial Magistrate-V, Buxar in connection with Bagengola P.S. Case No.109 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be her close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of her bail bonds.



(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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