

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44769 of 2025

Arising Out of PS. Case No.-487 Year-2023 Thana- CHIRAIYA District- East Champaran

Bindu Devi S/o Santosh Kumar Kushwaha R/o vill - Ambariya, P.S. -
Shikarganj, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Yerra Madhavi, Advocate
For the State	:	Mr. Nityanand Tiwary, APP
For the Informant	:	Mr. Rajesh Kumar, Advocate
		Mr. Manu Kumar, Advocate

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

ORAL ORDER

3 18-09-2025 Heard Ms. Yerra Madhavi, learned counsel for the petitioner and Mr. Nityanand Tiwary, learned APP for the State as also Mr. Rajesh Kumar assisted by Mr. Manu Kumar, learned counsels for the informant. Perused the case diary.

2. The petitioner seeks bail in connection with Chiraya Shikarganj P.S. Case No. 487 of 2023 instituted for the offence under Sections 341, 323, 307, 302, 448, 504/34 of the Indian Penal Code.

3. On 24.10.2023 at about 5:30 p.m., informant's wife, was tying a buffalo when petitioner and her husband Santosh Kumar Kushwaha confronted her over alleged water spillage, abused her, and during the altercation Bindu Devi



(petitioner) held her while Santosh Kumar struck her head with an iron rod handle, causing injuries from which she later died during treatment at Sadar Hospital.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 18-12-2024. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. From perusal of the FIR, it would manifest that there is no specific allegation against the petitioner, rather the same is against Santosh Kumar Kushwaha, who happens to be the husband of the petitioner. Allegation against the petitioner is confined to holding the hand of the deceased. There is previous enmity between the parties. Learned counsel submits that petitioner is lady. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that as per postmortem report cause of death is due to injuries caused by hard and blunt object.



7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, petitioner is lady and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chiraya Shikarganj P.S. Case No. 487 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

