

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50809 of 2024

Arising Out of PS. Case No.-241 Year-2022 Thana- DUMARIAGHAT District- East Champaran

Ramawati Devi, aged about 40 years, Female, Wife of Surendra Yadav,
Resident of Dhangarha, P.S.- Dumariyaghat, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Nirmala Kumari, APP I/C

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 15-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Dumariyaghat P.S. Case No. 241 of 2022 instituted for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. As the prosecution case, all the accused persons including the petitioner armed with *iron-rod* and *lathi* abused the informant's mother-in-law and ousted her from their house.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to partition dispute between the parties. He further submits that there is general, vague and omnibus allegation have been levelled against co-accused persons including the



petitioner. He next submits that there were no eye witnesses of the alleged occurrence. He submits that there is no evidence or material to show their specific complicity in the alleged occurrence. Petitioner has got no criminal antecedent as stated in para-3 of the petition.

5. Learned APP for the State has opposes the prayer for bail.

6. From perusal of the FIR, case diary, postmortem report and also perused the impugned order dated 08.05.2024 passed by the learned Additional Sessions Judge-13, East Champaran, Motihari, it appears that on the basis of written report of the informant Kiran Devi, FIR has been registered under Section 302/34 of the Indian Penal Code against eleven co-accused persons including the present petitioner. It also appears that petitioner is named in the FIR and in the postmortem report in which multiple injuries have been found on the body of the deceased Chandip Yadav and all the injuries have been caused by hard and blunt substance. The allegation against the accused persons are serious in nature caused by hard and blunt substance and other witnesses of the case diary also supports the version in the FIR.

7. Considering the aforesaid facts and circumstances



of the case and submissions of learned counsel for the parties as well as gravity of offence and involvement of the petitioner in the alleged murder of informant’s husband, I am not inclined to grant bail to the petitioner.

8. Accordingly, the application stands dismissed.

(Ramesh Chand Malviya, J)

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