

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59710 of 2025

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

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Ramawati Devi W/o Surendra Yadav, R/o Vill.- Dhangarha, P.S.-
Dumariyaghat, Dist.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jainendra Kumar Pushkar, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-09-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Dumariyaghat P.S. Case No. 241 of 2022, dated 15.11.2022 registered for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, on 14.11.2022 at about 07:00 PM, one Mukesh Yadav called informant's husband and invited him to a party and he went to the said party. However, when the informant's husband did not return till late night, the informant's mother-in-law went to the house of Mukesh Yadav where all the FIR named accused persons



including the petitioner, who were armed with iron-rod and *lathi*, abused her and ousted her from their house. Thereafter, the informant went to the Police station and brought her husband to Kesariya Hospital where the Doctor declared him dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no specific allegation of any assault or overt act attributed against the petitioner, rather there is general and omnibus allegation against the co-accused persons including petitioner. There is no eyewitness to the alleged occurrence. Both the parties are agnates. A co-accused person namely, Chulhai Yadav @ Chulai Rai has been granted bail by a co-ordinate Bench of this Court *vide* order dated 09.08.2023 passed in Cr. Misc. No. 31743 of 2023. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 09.06.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as petitioner's period of custody, the petitioner, above-named, is directed to be enlarged



on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari / successor Court, in connection with **Dumariyaghat P.S. Case No. 241 of 2022.**

7. The application stands allowed.

(Chandra Prakash Singh, J)

Shahnawaz/-

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