

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74462 of 2024

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

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Sugandhi Devi @ Sugndhi Devi W/o- Bhulai Yadav Resident of village-
Dhangarha Ps- Dumariyaghat District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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

ORAL ORDER

2 18-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her 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 10.09.2024 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 anticipatory bail application of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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