

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37415 of 2015

Arising Out of PS.Case No. -283 Year- 2014 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

Nirupma Kumari

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Opposite Party/s : Mr. Yogendra Kumar Singh (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-09-2015

Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case
registered for the offences punishable under Sections 302, 324,
326 and 120B/34 of the Indian Penal Code.

The prosecution case is that Saket Kumar @ Pintu,
Lali and Aditya came to the house of the informant when co-
accused Saket Kumar @ Pintu fired on the head of the son of
the informant namely Abhishek Kumar as a result he died on
the spot. It is alleged against the petitioner that the petitioner
being the wife of the victim had illicit relationship with Saket
Kumar @ Pintu, hence she conspired in killing of the son of the
informant.

It is submitted by learned counsel for the petitioner



that admittedly the petitioner was not present at the place of occurrence. The accusation of firing is specific against co-accused Saket @ Pintu and the father of this petitioner made an application before the I.G. Tirhut range that the informant herself got killed the husband of this petitioner since the informant had illicit relationship with the FIR named accused persons.

It is submitted by learned counsel for the informant that there is specific accusation against the petitioner that she conspired in killing her husband as she had illicit relationship with the assailant Saket Kumar @ Pintu. The investigation has already concluded and chargesheet has been submitted under Section 302 IPC against the petitioner also.

Considering the rival submissions of the parties, this is apparent that the petitioner was not present at the place of occurrence and the accusation against the petitioner is only of conspiracy.

Since the petitioner is a lady, it is a case for consideration of regular bail.

Let the learned court below consider the prayer for regular bail of the petitioner if she surrenders within a period of six weeks in connection with Hajipur Town P.S. Case No. 283

of 2014 pending in the court of learned CJM, Vaishali at Hajipur.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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