

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48334 of 2015

Arising Out of PS.Case No. -422 Year- 2013 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Guriya Devi Son of Maheshwar Singh, Resident of Village - Ajgari
Math, P.S. - Banjariya, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha

For the Opposite Party/s : Mr. S.N.Shukla(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 02-12-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Turkauliya
(Banjaria) P.S. Case No. 422 of 2013 registered for the offences
punishable under Sections 302, 201, 120B/34 of the Indian Penal
Code.

Allegedly, the son of the informant used to visit the
house of the petitioner and in the late evening of 06.08.2013 co-
accused Saddam and Bullet Singh came and took away the
deceased with them and on the next day the dead body was found.
Accordingly, it was suspected that the son of the informant was
killed on account of his intimacy with the petitioner.



Submission is of false implication and that the Police after adopting 3rd degree method has recorded the confessional statement of the petitioner, there is no eye witness of the occurrence and only on suspicion and alleged confessional statement the petitioner is suffering in custody since 08.08.2013. The alleged confessional statement without any recovery has got no legal value, no sign of violence was found in the house of the petitioner. The Sniffer dog stopped at the house of the petitioner cannot give a ground that the petitioner has committed the crime. The witnesses examined have not supported the prosecution case. Co-accused Saddam and Sunil Sah have been allowed bail vide Cr. Misc. No. 2860 of 2014 and 833 of 2014 and further Dhrub Singh has also been allowed bail.

Learned APP opposes the prayer of bail by submitting that the petitioner is named in the FIR and she was having intimacy with the deceased.

In the facts and circumstances stated above, considering the period of detention and the trial is not likely to be concluded in near future, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 9th Additional Sessions Judge, East

Champaran at Motihari in S. Tr.No. 73 of 2014 / S. T. No. 100 of 2015 arising out of Turkauliya (Banjaria) P.S. Case No. 422 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on her part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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