

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20929 of 2015

Arising Out of PS.Case No. -35 Year- 2015 Thana -DIGHA District- PATNA

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1. Sunita Devi. Wife of Ramnandan Das. Resident of Mohalla - Kurji
Vikash Nagar, P.S.- Digha, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Singh

For the Opposite Party/s : Mr. L.K.Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 19-08-2015 Heard the learned counsel for the petitioner, the

learned counsel for the informant and the learned Additional

Public Prosecutor.

The petitioner seeks bail in a case under Section

302/34 of the Indian Penal Code.

The widow of deceased made allegation that her

husband on being called by the petitioner went to her house but he

did not return. The informant got information that her husband

was killed by the petitioner and others. On search she went there

and saw dead body of her husband.

Learned counsel for the petitioner submits that there

is no eye witness of the occurrence. The witnesses have stated that

they saw the husband of the petitioner chasing the deceased with

blood stained knife in his hand but nobody saw the petitioner assaulting the deceased. The post mortem report does not show any injury caused by knife and incised wounds cannot be said to be caused by knife.

On the other hand, the learned counsel for the informant submits that witnesses have very categorically stated that husband and wife, the petitioner, inflicted knife blow and at some distance from the house of petitioner the witnesses also saw the husband of the petitioner chasing the deceased.

Considering the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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