

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23309 of 2015

Arising Out of PS.Case No. -57 Year- 2015 Thana -KHIJARSARAI District- GAYA

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1. Runtan Devi wife of Late Chandan Kumar resident of village -
Manshabigha, Police Station Khizarsarai, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramashish

For the Opposite Party/s : Mr. Nand Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-10-2015 Heard the learned counsel for the petitioner as well as

the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 302/34 of the I.P.C

Allegedly, the petitioner being the wife of Chandan
Kumar (deceased) strangulated him to death with the aid and
assistance of co-accused Pawan Kumar with whom the petitioner
was having illicit relationship.

Submission is of false implication and as the
informant having greedy eye has implicated the petitioner. As a
matter of fact the son of the informant committed suicide and no
one has killed him and as such the petitioner who is suffering in
custody since 09.03.2015 deserves sympathetic consideration, to
which the learned A.P.P. seriously opposes by submitting that in

this case charge sheet has already been submitted under sections 306/34 I.P.C as in the postmortem report cause of death has been found as combined effect of asphyxia and venous congestion of brain which appears due to hanging.

In the facts and circumstances as stated above, considering that the medical evidence is not consistent with the allegation as made out by the informant and other witnesses and as such considering detention of the petitioner and further noticing that the charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Miss. Akanksha Kashyap, J.M. 1st Class, Gaya in Khizarsarai P.S. Case No. 57 of 2015, 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 his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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