

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28440 of 2015

Arising Out of PS.Case No. -163 Year- 2013 Thana -PIPRA District- SUPAUL

1. Jaimala Devi Wife of Budhdeo Mandal @ Bijendra Mandal Resident of Village - Amaha, P.S. Pipra, District - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha

For the Opposite Party/s : Mr. Murlidhar(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 29-10-2015 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Pipra P.S. Case No. 163 of 2013 registered for the offences punishable under Sections 302, 201, 120B of the Indian Penal Code.

Allegedly, informant, after getting information that his daughter has been killed and the accused persons are trying to burn her, went at village Amaha where he found the dead body near the bamboo clump and all arrangements have been done to burn her but after seeing the informant, the accused persons fled away and then Vijay Kumar told the informant that the petitioner and her husband have assaulted Parwati Devi causing her death and there was bandage wound on her head.



Submission is of false implication, as a matter of fact the petitioner is cousin mother-in-law, there is no eye witness of the occurrence and further the witnesses who have been examined during investigation are all interested and related with the informant and the petitioner being the lady is suffering in custody since 20.04.2015 to which the learned APP opposes by submitting that co-villagers have also supported the allegation vide paragraph 51 and 52 of the case diary and further during post mortem also stitched wound over scalp middle region size 2.5" long has been found and the cause of death has also been found due to that injury.

In the facts and circumstances stated above, considering that the petitioner is a lady, chargesheet has already been submitted and there is no chance of tampering with prosecution evidence, 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 Sri S. Kumar, J. M. Ist Class, Supaul in connection with Pipra P.S. Case No. 163 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.

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(Jitendra Mohan Sharma, J)