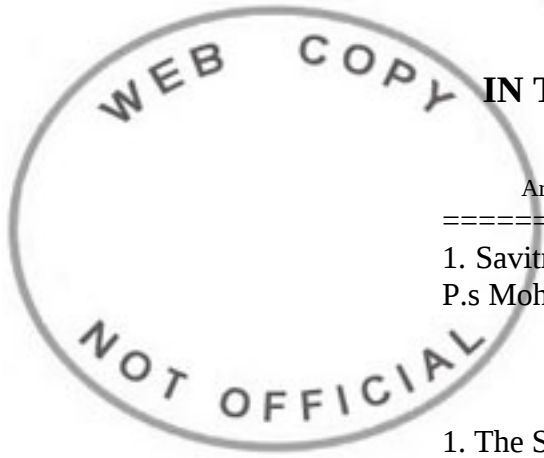




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34254 of 2015

Arising Out of PS.Case No. -443 Year- 2012 Thana -BARACHATTI District- GAYA

=====

1. Savitri Devi wife of late Ramdeo Manjhi Resident of Village Matgadha,
P.s Mohanpur ,District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satya Veer

For the Opposite Party/s : Mr. Manish Kumar No.2(App)

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

ORAL ORDER

4 01-12-2015 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, 201/34 of the I.P.C

Allegedly, the petitioner having illicit relationship
with co-accused Sunder Manjhi in collusion and conspiracy killed
her husband, i.e. father of the informant and hide the dead body in
the bushes in Matgadha Forest.

Submission is of false implication and that there is no
eye witness of the occurrence, only on suspicion the petitioner has
been named. The police after adopting third degree method had



got recorded the confessional statement which has got no evidentiary value in the eye of law. The daughter of the petitioner who is the informant has wrongly alleged that the petitioner confessed her guilt before her. The petitioner is suffering in custody since 21.10.2012, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence. In near future the trial is not likely to be concluded.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner is named in the F.I.R. and there is allegation against her that she killed her husband with the aid of co-accused.

In the facts and circumstances as stated above, considering detention of the petitioner and further that in near future the trial is not likely to be concluded 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 2nd Adhoc Additional Sessions Judge, Gaya in S.Tr. No. 41/2013 (297/2013) arising out of Barachatti (Mohanpur) P.S. Case No. 443 of 2012, 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)

Abhay/-

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