

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23839 of 2015

Arising Out of PS.Case No. -253 Year- 2014 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Sangeeta Devi Wife of Sanjay Chaudhary Resident of Village - Jadhua
Pokhara, P.S. - Hajipur, District - Vaishali at Hajipur (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Kumar, Advocate.

For the Opposite Party : Mr. Arun Kumar Singh-5(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 09-10-2015 Heard both sides.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 302, 324 and 120B of the Indian Penal Code.

The informant after recovery of the dead body of his son Dhiraj Kumar @ Chotu alleged that one Rahul Kumar disclosed that somebody called Dhiraj Kumar @ Chotu on the poultry farm, but he did not return thereafter. During the course of investigation, the petitioner stated before the police that she called Dhiraj Kumar @ Chotu as she was having illicit relation with him. The husband of the petitioner got knowledge about the illicit relationship of the petitioner with Dhiraj Kumar @ Chotu, on such her husband killed Dhiraj Kumar @ Chotu. The husband of the

petitioner returned in perplexed condition and on enquiry her husband Sanjay Chaudhary disclosed that he killed Dhiraj Kumar @ Chotu. The blood stained Ganji of the husband of the petitioner was kept in bathroom which was recovered.

Learned counsel for the petitioner submits that there is absolutely no evidence rather the petitioner can be a good witness as her husband confessed before the petitioner that he killed Dhiraj Kumar @ Chotu. The petitioner did not play any role in killing of Dhiraj Kumar @ Chotu.

On the other hand learned counsel for the informant as well as learned APP vehemently opposed the prayer for bail and submitted that the petitioner called Dhiraj Kumar @ Chotu, but it appears that the petitioner asked Dhiraj Kumar @ Chotu not to come to her house even then Dhiraj Kumar @ Chotu came after having sexual relation. The husband of the petitioner killed Dhiraj Kumar @ Chotu and he confessed before his wife, the petitioner about the manner of killing of Dhiraj Kumar @ Chotu.

It appears that there is no tangible material to show the involvement of the petitioner in killing of Dhiraj Kumar @ Chotu, the petitioner above named who is a lady, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is

directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in Hajipur (Town) P.S. Case No. 253 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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