

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.53346 of 2016**

Arising Out of PS.Case No. -316 Year- 2015 Thana -PURNEA SADAR District- PURNIA

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Kajal Kumari @ Kajal Jha Wife of Late Ravi Shankar Jha Resident of  
Mohalla- Rambag, P.S.- Sadar, District- Purnea

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amit Kumar Anand, Advcate

For the Opposite Party/s : Mr. Arbind Kumar Pandey, A.P.P.

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      22-12-2016                      Heard learned counsel for the petitioner, learned  
counsel for the informant and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since  
28.11.2015 in connection with Sessions Trial No. 119 of 2016  
arising out of Sadar P.S. Case No. 316 of 2015 registered for the  
offence punishable under Sections 323, 341, 324, 302 and 120(B)  
of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that while in the night  
deceased was sleeping along with his wife and children and the  
informant was also sleeping in another room, he woke up on  
hearing the sound of firing and when he entered into son's room,  
he found him badly injured, who named one Pathak and his  
associates to be instrumental in injuring him, who later on



succumbed to the injuries.

It has been submitted by the learned counsel for the petitioner that he is innocent, has no criminal history and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence. It has further been submitted that the petitioner is the wife of the deceased and the allegation is that she along with one Rishikesh Yadav with whom she was having affair planned the entire occurrence. It is further submitted that the said Rishikesh Yadav has since been granted the privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 17034 of 2016 on 24.05.2016 and co-accused Ranjeet Pathak has also been granted the privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 56385 of 2015 on 28.03.2016.

However, learned counsel appearing on behalf of the informant submits that the petitioner, who is the wife of the deceased was instrumental in planning the murder of her husband along with a paramour and other associates, hence, opposes the prayer for bail.

Learned A.P.P. for the State also opposes the prayer for bail.

Be that as it may, considering the facts and



circumstances and submission of the parties, since charge-sheet has been submitted and that other co-accused have since been granted the privilege of bail, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of Sri H.P. Tripathi, learned 5<sup>th</sup> Additional Sessions Judge, Purnea in connection with Sessions Trial No. 119 of 2016 arising out of Sadar P.S. Case No. 316 of 2015, subject to the condition that the petitioner will appear before the learned Court below during trial as and when required and her failure to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of her bail bonds.

**(Nilu Agrawal, J.)**

Arjun/-

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