

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53352 of 2016

Arising Out of PS.Case No. -68 Year- 2016 Thana -JANKINAGAR District- PURNIA

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Geeta Devi, Wife of Umesh Yadav, Resident of village- Rampur Tilak,
P.S.- Jankinagar, District- Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Uday Singh, Advocate

For the Opposite Party/s : Mr. Vinod Shankar Modi, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

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

Petitioner is languishing in judicial custody since
24.06.2016 in connection with Jankinagar P.S. Case No. 68/16,
registered for the offence punishable under Sections 302, 201,
120-B/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that some people strangled his sister Amerika Devi and thrown
her dead body in the jute field. The daughter of the deceased
revealed that one Nakul Mandal had come to her house and taken
her away on a motorcycle and in the house of the petitioner, the
brothers Ganesh Yadav, Abhinandan Yadav and other co-accused
have strangled and killed his sister due to land dispute between
them.

It has been submitted by the learned counsel for the



petitioner that she is the sister-in-law(gotni) of the deceased and informant and other accused Ganesh Yadav and Abhinandan Yadav are her brother-in-laws. It is submitted that no overt act has been alleged against the petitioner and it is only on the basis of confessional statement of one Nakul Mandal that the name of the petitioner surfaced, which has no evidentiary value in the eye of law. The allegation is on accused Fudar Mandal, Ganesh Yadav and Abhinandan Yadav and it was only the house of the petitioner where the occurrence took place. Charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

Be that as it may, considering the facts and circumstances and submission of the parties, since charge sheet has already been submitted, from the materials available it does not reveal that the petitioner's liberty on bail would adversely affect her trial, 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 the learned Chief Judicial Magistrate, Purnea, in connection with Jankinagar P.S. Case No. 68/16.



This direction of bail is further subject to the condition that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear before the learned Court below as and when directed.

With these observations and directions, the application stands allowed.

(Nilu Agrawal, J.)

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