

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23630 of 2016

Arising Out of PS.Case No. -99 Year- 2015 Thana -GWALPARA District- MADHEPURA

Sunita Devi, W/o Dharamraj Yadav, Resident of village- Maharajganj,
Police Station- Gwalpara (Arar O.P.), District- Madhepura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bhanu Pratap Singh(APP)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-07-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner apprehends arrest in connection with
Gwalpara (Arar O.P.) P.S. Case No. 99/15 for offences alleged
under Sections 302, 201/ 34 of the Indian Penal Code.

The prosecution case, as lodged by the informant,
is that some unknown persons have killed his wife Rekha Devi
and thrown her dead body in the bamboo clump of one Bhupendra
Yadav by keeping the same in a plastic bag.

It has been submitted by the learned counsel for
the petitioner that he is not named in the First Information Report
and has been dragged in this case due to personal enmity and
village politics. He further submits that there is no direct or
circumstantial evidence against him and she has been falsely

implicated only on the basis of suspicion. It has further been submitted that one of the co-accused Kundan Kumar Yadav has already been charge-sheeted and investigation is going on.

Learned APP for the State, however, submits that as per the supervision note at paragraph 84 there was illicit relationship of the petitioner with co-accused Kundan Kumar Yadav and Kundan has also illicit relationship with deceased Rekha Devi and on this ground there was fight between the petitioner and the deceased Rekha Devi, hence, opposes the prayer for bail.

Be that as it may, since the petitioner is not named in the First Information Report and only on the basis of suspicion, petitioner has been implicated, let petitioner, above named, in the event of her arrest or surrender before the court below within a period of eight weeks from today, 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 Sri Ashok Kumar-II, learned Judicial Magistrate 1st Class, Udakishunganj, Madhepura, in connection with Gwalpara (Arar O.P.) P.S. Case No. 99/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J)

Rajesh/-

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