

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54418 of 2015

Arising Out of PS.Case No. -486 Year- 2014 Thana -SIWAN MUFFASIL District- SIWAN

1. Most. Ramawati Devi @ Ramawati Devi Wife of Late Gyanchand Prasad
resident of village - Jiyae P.S. Siwan Muffasil, District - Siwan

.... .. Petitioner/s

Versus

1. The State of Bihar

.... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Nityanand Tiwary(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

4 11-03-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 323, 302 and 120 B of the I.P.C

Allegedly, the husband of the complainant/informant
was killed by six named accused persons in a criminal conspiracy
and gave the colour of suicide by hanging the husband of the
complainant

Submission is of false implication and that earlier the
police registered U.D. case, during postmortem examination the
cause of death has been found due to asphyxia caused by hanging,
the witnesses have stated that the husband of the
complainant/informant committed suicide as he was under tension,
against the petitioner there is no specific allegation and as such she

being the lady aged about 60 years deserves sympathetic consideration, she has got no criminal antecedent, the petitioner has also filed Complaint Case No. 3352 of 2014 against the informant of this case and other co-accused.

The learned A.P.P. after going through the case diary fairly submits that earlier the police lodged U.D. case and the doctor has also found cause of death asphyxia due to the above mentioned antemortem injury caused by hanging which is mentioned in paragraph-27 of the case diary.

In the facts and circumstances as stated above, 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 C.J.M. Siwan in Siwan Mufassil P.S. Case No. 486 of 2014, 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)

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