

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25449 of 2016

Arising out of PS.Case No. -152 Year- 2014 Thana -GOPALPUR District- BHAGALPUR

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Kiran Devi, Wife of late Sashi Ranjan @ Renu, resident of Village Gyani Das Tola, Police Station Rangra (Gopalpur) District Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate.

For the Opposite Party : Mr. Sri Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-08-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 08.03.2016 in connection with Gopalpur (Rangra) P.S. Case No. 152 of 2014 for the offences instituted under Sections 302/34 of the IPC and 27 of the Arms Act. Later on, Section 120(B) of the IPC was also added.

The prosecution story, in brief, is that on 04.05.2014 in the last night at 9.30 P.M. the informant was watching the T.V. in the room after taking meal alongwith her husband and two daughters. After some time, her husband put off the T.V. and went outside and the informant heard the sound of opening of door of the roof then she thought that her husband has habit to go for

walking after the meal. It is further stated that at 11.55 P.M in the night one Barat was crossing through her door and she woke up on the sound of D.J. Music and heard huge sound coming from south side of her room, she went to that room and found her husband lying on bed under pool of blood. She found that there was fire arm injury into the head of her husband and he died.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.03.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. She has got no criminal antecedent. The petitioner happened to be the informant of the present case. It was alleged that her husband has been done to death by Rohit Roy. The father-in-law of the petitioner after death of the deceased in paragraph no. 22 of the case diary was examined on 05.05.2014 where he did not name the petitioner. Subsequently after seven months on 06.12.2014 his second statement was recorded by the Investigating Officer where he raised suspicion against the petitioner alleging that the petitioner is also involved in the commission of the crime as she was having illicit relation with the co-accused Rohit Roy. The petitioner had claimed the share of her husband from her father-in-law. Hence, for the said reason after seven months the father-in-

law has tried to falsely implicate the petitioner in the present case.

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned J.M. Ist Class, Naugachia, Bhagalpur, in connection with Gopalpur (Rangra O.P.) P.S. Case No. 152 of 2014.

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(Sudhir Singh, J)