

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51089 of 2016

Arising Out of PS.Case No. -81 Year- 2015 Thana -BALIGAON District- VAISHALI(HAJIPUR)

Jyoti Kumari, W/o - Dhiraj Kumar, Resident of Vill - Dharampur Bande,
P.S. - Patori, District - Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Srivastava, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-11-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since
24.07.2016 in connection with Baligaon P.S. Case No. 81/15, G.R.
No. 5286/15 for offences punishable under Sections 302, 201 of
the Indian Penal Code.

The prosecution case, as lodged by the informant
mother of the deceased, is that the petitioner, who is *gotni* of the
deceased and did not have good relations with the deceased, along
with her family members, is instrumental in killing the daughter of
the informant.

It has been submitted by the learned counsel for
the petitioner that apart from being named in the First Information
Report, there is no other allegation that the deceased daughter of

the informant was seen in the company of the petitioner. He submits that there is no eye-witness to the occurrence and investigation has already completed and charge-sheet submitted, hence, there is no chance of tampering with the prosecution evidence. It is further submitted that another co-accused, named in the First Information Report, has since been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 20895 of 2016 on 19.05.2016 on similar allegation.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances and that similarly situated co-accused, on similar allegation, has since been granted the privilege of bail, let petitioner, above named, be enlarged 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 Atul Veer Singh, learned Sub-Judge-XIII cum Addl. Chief Judicial Magistrate 1st, Vaishali at Hajipur, in connection with Baligaon P.S. Case No. 81/15, G.R. No. 5286/15.

(Nilu Agrawal, J.)

Rajesh/-

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