

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43144 of 2016

Arising Out of PS.Case No. -168 Year- 2016 Thana -JAKKANPUR District- PATNA

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Shalu Singh @ Shalu @ Nitu Singh Wife of Monu Singh @ Sumit Dayal
Resident of Mithapur, Khagaul Road, Near Bharti Clinic , P.S: Jakkanpur,
District Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Hansraj, Advocate.

For the Opposite Party : Mr. Ram Bilash Roy Raman, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 13-12-2016 Heard both sides.

The petitioner seeks bail in Jakkanpur P.S. Case No. 168 of 2016, registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

S.I. Jakkanpur police station alleged that while he was on patrolling duty in the night he saw one person assaulting another on road near Dayanand Kanya Ucha Vidyalaya More. The injured was unconscious and he was wearing only underwear. Blood was oozing from nose and ear and the person standing near that man was assaulting him with fists and slaps. When the informant enquired he called his wife who also slapped the unconscious man lying on the ground and disclosed that the man had entered into her house wearing underwear.



Learned counsel for the petitioner submits that the petitioner is a lady. The only allegation against the petitioner is that she only slapped the deceased. The doctor who examined the deceased at the first instance found hematoma and opined that injury no. 1 and 3 are simple in nature. It is further submitted that the husband of the petitioner is in jail. During course of investigation, in paragraph - 33 and 34 of the case diary the people residing in the vicinity of the place of occurrence disclosed that the deceased wanted to outrage the modesty of the petitioner and that is why the husband of the petitioner and others assaulted the deceased but it appears from perusal of the case diary that when the informant went near Kanya Ucha Vidyalaya he saw only the husband of the petitioner assaulting the man lying on the ground. The husband of the petitioner called the petitioner who also slapped the deceased and disclosed that the deceased had entered into her house but from perusal of the seizure list it appears that in the room of the petitioner many bottles of whisky were found and smell of alcohol was also coming from the mouth of the husband of the petitioner who was assaulting the deceased.

Considering the facts aforesaid and the fact that the deceased and husband of the petitioner took wine together and thereafter the deceased was brutally assaulted and killed, I am not



inclined to enlarge the petitioner above named on bail.

Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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