

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13087 of 2016

Arising Out of PS.Case No. -524 Year- 2015 Thana -BIHTA District- PATNA

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1. Tetari Devi Wife of Late Kamta Manjhi Resident of Village- Parepur,
P.S.-Bihta, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jain

For the Opposite Party/s : Mr. M.Dayal (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 10-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Bihta P.S.
Case No. 524 of 2015 registered for the offences punishable under
Sections 302 and 379/34 of the Indian Penal Code.

Allegedly, Baijnath Singh the husband of the informant
developed illicit relationship with the petitioner for last 1½ to 2
years but recently it was broken. However, the husband of the
informant used to go to the house of the petitioner which was
being opposed by the petitioner and ultimately, the petitioner in
collusion and conspiracy with other co-accused killed the husband
of the informant and near the dead body one pair sleeper of female
and two pair sleepers of male and red shirt of the informant were

found besides other articles.

Submission is of false implication and that there is no eye witness of the occurrence no one has seen the petitioner committing the crime, the police has recorded the confessional statement of petitioner after adopting third degree method which has got no evidentiary value in the eye of law without any legal and tangible material chargesheet has already been submitted and petitioner is suffering in custody since 16.07.2015 having no criminal antecedent.

The learned APP opposes the prayer of bail by submitting that at the house of the petitioner the deceased took dinner and wine and other co-accused whose names have come in the confessional statement of the petitioner, killed the deceased.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-VIII, Danapur, Patna in connection with ST No. 21 of 2016 arising out of Bihta P.S. Case No. 524 of 2015 subject to the conditions that one of the bailors must be 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 her part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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