

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50055 of 2015

Arising Out of PS.Case No. -101 Year- 2015 Thana -GAYGHAT District- MUZAFFARPUR

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1. Sunita Devi wife of Late Lalbabu Sahani, resident of village- Chakki,
Police Station- Gaighat, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raju Kumar

For the Opposite Party/s : Mr. S.D. Singh Yadav (App)

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

ORAL ORDER

4 23-02-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Gayghat P.S.
Case No. 101 of 2015 registered for the offence punishable under
Sections 302/34 of the Indian Penal Code.

Allegedly, the petitioner having illicit relationship with
Vinod Sahani, after calling her husband Lal Babu Sahani, killed
him with aid and assistance of other co-accused and further
brought the dead body at the house of the informant.

Submission is of false implication and that the informant
is the dewar of the petitioner and with wrong allegation he has
brought this case, the husband of the petitioner was suffering from
several chronic diseases and he died during treatment vide
annexure-2, the informant only with a view to grab the property

got implicated the petitioner, resulting, she is suffering in custody since 18.05.2015 without any cogent material, inquest and post mortem report does not support the prosecution version and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that the doctor who has conducted the post mortem has not given definite opinion regarding cause of death, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 Sri A. K. Dixit, J. M. Ist Class, Muzaffarpur in connection with Gayghat P.S. Case No. 101 of 2015, 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 her part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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