

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29136 of 2016

Arising Out of PS.Case No. -41 Year- 2014 Thana -PURAINI District- MADHEPURA

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Rani Devi W/o Niranjan Singh Resident of Village- Oraiya Purbi Chengahi
Tola, Police Station- Puraini, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-09-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under
Sections 364 and 120B/34 of the Indian Penal Code.

Allegation against the petitioner is of abduction and
killing husband of informant due to some dispute.

A report regarding stage of the case was called for from
the court below at Madhepura, same is kept at flag 'A'. A report
from the Superintendent of Police, Madhepura, has also been
received, same is kept at flag 'B'. Earlier bail application of the
petitioner was rejected vide Annexure-1 to the present application.
Petitioner is in custody since 26.5.2014.

It has been submitted that charge has already been framed
in the case. Petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses against petitioner. Petitioner
is a lady. She has been named in the F.I.R. as she had called the
deceased on mobile prior to recovery of the dead body of the
deceased. There is no eye witness to the alleged occurrence. In
course of investigation confession of co-accused was recorded
under Section 164 of the Code of Criminal Procedure. It was

stated that after killing the deceased the dead body was thrown in the river but the body of the deceased is said to have been recovered from a different place than the description given in the said confessional statement. No substantive motive has been imputed against petitioner. Petitioner has remained in custody for approximately two years and four months. Other co-accused have been granted bail vide Cr. Misc. no. 8388 of 2015, Cr. Misc. no. 16581 of 2015, Cr. Misc. no. 16743 of 2015, Cr. Misc. no. 22084 of 2015 and Cr. Misc. no. 41355 of 2015.

On behalf of the State, it is submitted that petitioner is named in the F.I.R. and she had called the deceased on the mobile.

Considering the aforesaid facts and circumstances and the period of custody, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-III, Madhepura, in connection with Sessions Trial no. 34 of 2015 arising out of Puraini P.S. Case no. 41 of 2014 (G. R. no. 878 of 2014).

(Sudhir Singh, J)

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