

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9876 of 2017

Arising Out of PS.Case No. -119 Year- 2016 Thana -KHAJAULI District- MADHUBANI

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Heera Davi, wife of Kamlesh Das, resident of village Kauadh, P.S. Jai Nagar, District Madhubani

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-03-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Khajauli P.S.Case No. 119 of 2016 registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that petitioner is not named in the FIR but later on her name transpires in the confessional statement of co-accused, in which it is alleged that petitioner has illicit relationship with Mukesh Yadav and that was seen by the deceased and except confessional statement there is nothing against the petitioner and he has remained in custody for four months.

Heard learned APP also.

Having heard both sides and considering the fact that name of the petitioner has transpired in the confessional statement of co-accused and she is in custody for four months, let the



petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Sri Vivek Vishal, Judicial Magistrate, 1st Class, Madhubani, in connection with Khajauli P.S.Case No. 119 of 2016, subject to the conditions that :-

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.

(ii) The petitioner will not induce any witness or tamper with the evidence.

(iii) The petitioner shall cooperate in the disposal of trial and make herself available as and when required by the court and on the event of failure on her part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move the cancellation of her bail.

(Vinod Kumar Sinha, J)

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