

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32084 of 2017

Arising Out of PS.Case No. -77 Year- 2017 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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Angoormala Devi @ Angoorlata Devi W/o Chandra Bhushan Singh,
Resident of Village- Rai Karariya, P.S.- Paharpur, District- East
Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ansul, Adv.

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 29-08-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner seeks bail in connection with Paharpur P.S.
Case No. 77 of 2017 for offences punishable under Sections
302/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his son, Rupesh Thakur and his nephew, Kamlesh Thakur had
gone on a motorcycle and did not return. He was informed that his
son has been murdered and his dead body was lying in a maize
field. It is alleged that one Vivek Thakur, who was nephew of
informant had illicit relationship with his daughter in law, Puja



Devi, wife of the deceased, Rupesh Thakur and he along with other co-accused have killed his son.

It has been submitted by the learned counsel for the petitioner that petitioner is mother of Puja Devi and mother in law of the deceased, Rupesh Thakur. He submits that there is no allegation against the petitioner in the F.I.R. and her name surfaced only on the confessional statement of Puja Devi, who is her daughter that petitioner had conspired with the said Puja Devi for the alleged occurrence. He submits that there is no direct or indirect evidence and the confessional statement of the co-accused before the police has no evidentiary value in the eye of law and that charge sheet has already been submitted and the petitioner is languishing in judicial custody since 04.04.2017.

However, learned counsel appearing on behalf of the informant vehemently opposes the prayer for bail stating that the petitioner, who is mother of said Puja Devi, had conspired in the said killing of the informant's son.

Learned APP for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with



two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari, in connection with Paharpur P.S. Case No. 77 of 2017, subject to the condition that both bailors would be close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

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