

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36077 of 2017

Arising Out of PS.Case No. -62 Year- 2017 Thana -KANKARBAGH District- PATNA

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1. Kaushalya Devi Wife of Late Lallu Chauhan, Resident of Village/Mohalla-Lohianagar Near Gayatri Mandir, Police Station-Kankarbagh, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. Shailendra Kumar -2

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 22-08-2017 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

Petitioner is languishing in judicial custody since 18.02.2017 in connection with Kankarbagh P.S. Case No. 62/2017 for offences punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his son Tipun Sao was having illicit relationship with the petitioner since last five years and on the date of occurrence she called the deceased at a thatched hut where her both sons (co-accused) along with one Bibiya Devi, who was second wife of her late husband, after pouring petrol all of them killed the son of the



informant.

It has been submitted by the learned counsel for the petitioner that she is innocent and has been falsely implicated in the aforesaid case. He further submits that the deceased was her paramour and there was no occasion to kill him because she is a widow lady and the deceased was looking after her day-to-day affairs. He further submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner and that there is no eye-witness to the alleged occurrence.

However, learned counsel for the informant and learned APP for the State oppose the prayer for bail stating therein that the petitioner along with her two sons and second wife of her husband have killed the son of the informant and that prosecution witnesses have supported the prosecution case.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Kankarbagh P.S. Case No. 62/2017, pending in the court of Smt. Madhvi Singh, learned Judicial Magistrate 1st Class, Patna.

Application is, accordingly, rejected, however, with



liberty to the petitioner to renew her prayer for bail after six months from today.

(Nilu Agrawal, J)

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