

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55706 of 2016

Arising Out of PS.Case No. -183 Year- 2016 Thana -BARHARA District- BHOJPUR

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Kalawati Devi, Wife of Sri Gopal Singh, resident of villlage- Korha,
Police Station- Barhara in the district of Bhojpur. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner : Mr. Prabhu Narayan Sharma, Advocate

For the Opposite Party : Mr. Ram Priya Saran Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 10-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Barhara
(Sinha O.P.) P.S Case No. 183 of 2016 registered for the offences
punishable under Sections 302/201 of the Indian Penal Code.

Allegedly, an unknown dead body of female aged
about 50 years was recovered and on the basis of fardbeyan of
Chaukidar Dina Nath Yadav, the case was registered on
15.05.2016 and thereafter on 28.08.2016 Deepak Singh identified
the photo of the dead body as of his mother and accordingly the
statement of Deepak Singh was recorded by the police and also
under Section 164 Cr.P.C. wherein he has stated that he has got
suspicion that in the murder of his mother, Dipu Singh, the
petitioner and her son Rohit Singh are involved and the reason
behind the occurrence is land dispute.

Submission is of false implication and that the



petitioner is in custody since 01.07.2016 having no criminal antecedent, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail,

In the facts and circumstances stated above, considering that the name of the petitioner has come only on suspicion and there is no direct or indirect evidence against her and, as such, petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Barhara (Sinha O.P.) P.S. Case No. 183 of 2016, 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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