

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12351 of 2017

Arising Out of PS.Case No. -128 Year- 2016 Thana -SHERGHATI District- GAYA

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1. Khushboo Kumari, D/o Amarjeet Paswan, Resident of Village-
Lachavaiti, P.S.- Sherghati, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Bisheshwar Ram (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 25-04-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends her arrest in connection
with Sherghati P.S. Case No. 128 of 2016, registered for the
offences punishable under Sections 302, 201/ 34 of the Indian
Penal Code.

Allegedly, Nagendra Paswan went with his wife Rani
Kumari to Lakshnaiti from where he informed the informant
through mobile that Bahadur Paswan, Sanjay Paswan and
Dharmendra Paswan have surrounded him to kill him and his wife
Rani Kumari is also assisting them then the informant advised
him to flee away but later on information came that Nagendra
Pawan has been killed and Rani Kumari told that Nagendra had



gone away. It is alleged that Rani Kumari and the villagers of her Nanihal namely, Bahadur Paswasn, Dhadmendra Paswan, Sanjay Paswan, Khushboo Kumari and 2-3 unknown have killed him and to save themselves from punishment, hanged the dead body in a tree.

Submission is of false implication and that the petitioner has been made victim of the circumstances, at the time of 'holi' someone saw the petitioner with Nagendra Paswan with objectionable condition and then the villagers advised him not to do such act and thereafter he hanged her himself. The doctor has found cause of death due to shock and asphyxia as a result of pressure over neck and the viscera report has been kept preserved. During investigation besides suspicion nothing has come against the petitioner. Rani Devi and other co-accused have been allowed regular bail and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering the gender of the petitioner, she in the event of her arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released 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 A.C.J.M., Sherghati (Gaya), in connection with Sherghati P.S. Case No. 128 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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