

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45114 of 2016

Arising Out of PS.Case No. -217 Year- 2016 Thana -CHHATAPUR District- SUPAUL

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1. Jaitun Khatun W/o Md. Samad Resident of village- Inderpur, P.S-
Chhatapur, Distt- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1

For the Opposite Party/s : Mr. Sri Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 06-03-2017 Heard both sides.

The petitioner seeks bail in Chhatapur P.S. case No.
217 of 2016 under Section 302,201 of the Indian Penal Code.

The informant alleged that her Sautan killed her one
and half year son by pressing his neck and threw his dead body in
a ditch filled with water.

Sri Rama Kant Sharma, the learned senior counsel
for the petitioner, submits that there is no eye witness of the
occurrence. The boy slipped into ditch and died due to asphyxia.
No external injury was found. The father of the deceased stated in
his statement that his second wife has implicated his first wife in
the case due to some misunderstanding. The petitioner did not
confess her guilt before any villager.



On the contrary, the learned counsel for the informant as well as the learned Additional Public Prosecutor vehemently opposed the prayer for bail.

It appears that, of course, there appears no eye witness of the occurrence but the petitioner herself confessed her guilt before the villagers and disclosed that she killed the boy and threw his dead body in water.

Considering the fact that petitioner confessed her guilt before the villagers about the killing of one and half year boy, who happens to be son of her Sautan, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail is rejected at this stage.

(Prabhat Kumar Jha, J)

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