

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18721 of 2017

Arising Out of PS.Case No. -221 Year- 2016 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

Laxmi Devi, W/o Late Krishan Sah, D/o Surendra Sah, Resident of Village-
Vridavan, P.S.- Kalyanpur, District- East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 23-06-2017 Heard learned counsel for the petitioner and learned APP
representing the State.

The petitioner seeks bail in connection with Kalyanpur P.S.
Case No. 221 of 2016 registered for the offence punishable under
Sections 302/34 of the Indian Penal Code.

Krishna Sah, the brother of the informant, was married to the
petitioner on 01.05.2014. On 08.11.2016 the brother of the informant
went to in-laws house and after reaching there informed telephonically,
thereafter, in the night information came from another mobile that his
brother died. It is alleged that the petitioner and other in-laws with the
help of unknown killed him.

Submission is of false implication and that the petitioner is
the wife of the deceased. During investigation it has come that the
deceased committed suicide as he was pressurizing the petitioner to
perform his marriage with younger sister of the petitioner which this



petitioner refused then he committed suicide and as such chargesheet has been submitted under Section 306 IPC. During post mortem no injury was found on the person of the deceased, cause of death has not been ascertained and opinion has been kept reserved till receipt of report of FSL examination. The petitioner without any fault is suffering in custody since 13.12.2016 and as such she deserves sympathetic consideration.

Learned APP submits that chargesheet has been submitted under Section 306 IPC.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 13th Additional Sessions Judge, Motihari, East Champaran in Sessions Trial No. 370 of 2017 arising out of Kalyanpur P.S. Case No. 221 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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