

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53690 of 2016

Arising Out of PS.Case No. -96 Year- 2016 Thana -ADAPUR District- EAST CHAMPARAN
(MOTIHARI)

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Jaimati Devi, w/o Sri Vigan Das, r/o village Gamhariya Khurd, P.S.-
Adapur, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Kumar, Advocate.

For the Opposite Party : Mr. Umesh Lal Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-01-2017 Heard learned Counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offence under Sections 302, 201 and 34 of the Indian Penal Code.

It is alleged in the written report filed by the Chowkidar
that he got information in the village that daughter of Vigan Das
namely Gunja Kumari, aged about 12 years, has died. The
informant inquired from the neighbouring villagers and learnt that
she was tortured by her mother Jaimati Devi (petitioner). Jaimati
Devi has assaulted two days back and she has caused death of her
daughter after assaulting her and in order to suppress the evidence,
had cremated the dead body just in the back side of the house in
Bansbari. It is further alleged that the elder daughter of Jaimati
Devi had also died in suspicious condition about 1 ½ years back.



Learned Sessions Judge has mentioned in paragraph-18 of the impugned order itself that the petitioner used to commit assault with Gunja Kumari and she had committed suicide on account of that. It is further stated that paragraphs 20 and 34 of the case diary corroborates the alleged occurrence.

In this manner, from the aforesaid statement, it appears that there is no direct allegation against the petitioner of committing murder of Gunja Kumari. In the written report the informant has levelled allegation merely on hear-say. Petitioner is a lady and she is in custody since 6.7.2016.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, 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 Sub Divisional Judicial Magistrate, Raxaul, East Champaran, Motihari, in connection with Adapur P.S. Case No. 96 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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