

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37165 of 2017

Arising Out of PS. Case No.-57 Year-2017 Thana- MASAUHRI District- Patna

Kantu Devi @ Bhaktini, wife of Late Bachan Bind, Resident of Village-
Nasratpur, Police Station- Dhanarua, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Naresh Ray, Advocate
For the Opposite Party/s : Mr. Amrendra Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 12-09-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

Petitioner is languishing in judicial custody since
02.03.2017 in connection with Masaurhi P.S. Case No. 57 of
2017, G.R. No. 240 of 2017 registered for the offence
punishable under Sections 302 and 201/34 of the Indian Penal
Code.

The prosecution case, as lodged by the Chawkidar,
is that a dead body of 16-17 year old girl was found naked in the
field of one Sandip Singh. Her clothes were found lying beside
her.

It has been submitted by the learned counsel for the
petitioner that she is innocent, not named in the First
Information Report and does not bear any criminal history. It is



further submitted that no one has seen the occurrence and it is only on the basis of confessional statement of the mother of the deceased, Lalita Devi @ Guriya Devi, who was also present at the place of occurrence and involved in the present offence, that the name of the petitioner surfaced. It is submitted that as per the CDR of the mobile, mobile location of the petitioner was not found at the place of occurrence and that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner. He submits that two of the co-accused, who have been named in the confessional statement, have since been granted the privilege of bail by a coordinate Bench in Cr. Misc. No. 37996 of 2017 on 10.08.2017 on similar allegations.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the mother of the deceased confessed her guilt and the involvement of the petitioner and other co-accused in the present offence.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of Shri Ranjay Kumar, learned Judicial Magistrate



1st Class, Masaurhi, District Patna in connection with Masaurhi
P.S. Case No. 57 of 2017, G.R. No. 240 of 2017, subject to the
condition that both the bailors would be close relative of the
petitioner.

(Nilu Agrawal, J.)

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