

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17792 of 2018

Arising Out of PS. Case No.-62 Year-2017 Thana- KANKARBAGH District- Patna

Kaushalya Devi Wife of late Lallu Chauhan Resident of Village/Mohalla-
Lohiyanagar near Gayatri Mandir, Police Station- Kankarbagh, District-
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Advocate
For the Opposite Party/s : Mrs. Anusuiya Jaiswal, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-04-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

This is the second round of litigation. Earlier the prayer for bail of the petitioner was rejected vide order dated 22.08.2017 passed in Cr. Misc. No. 36077 of 2017. Petitioner is languishing in judicial custody since 18.02.2017 in connection with Kankarbagh P.S. Case No. 62 of 2017 registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his son Tipun Sao was called by the petitioner. Deceased happened to be paramour of the petitioner and the second wife of her late husband along with her two sons poured petrol and killed him.



It has been submitted by the learned counsel for the petitioner that she is innocent and has been falsely implicated in the aforesaid case. He submits that there was no motive behind the said killing as the deceased son of the informant was looking after her, as she was a widow lady and has falsely been implicated. He further submits that although the case has been committed to the court of sessions, but there is no progress in the trial and being a lady, a sympathetic consideration be given.

However, learned A.P.P. for the State opposes the prayer for bail.

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 Smt. Madhvi Singh, learned Judicial Magistrate 1st Class, Patna in connection with Kankarbagh P.S. Case No. 62 of 2017 , subject to the conditions that:

(1) Both the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating their relationship with the petitioner.



(2) The petitioner will appear before the learned Court below on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of her bail bonds.

(Nilu Agrawal, J.)

Arjun/-

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