

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60229 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -EKCHARI District- BHAGALPUR

=====

Kundan Devi Wife of Bhagat Lal Mandala Resident of Village Rani Diyara,
P.S. Budhu Chak, District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Srivastava, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 24-01-2018 Heard learned counsel for the petitioner and the

learned APP for the State.

This is the second round of litigation. Earlier, the prayer for bail of the petitioner was rejected by order dated 01.08.2017 passed in Cr. Misc. No. 27588 of 2017. Petitioner is languishing in judicial custody since 16.03.2017 in connection with Sessions Trial No. 671 of 2017, arising out of Ekchari P.S. Case No. 07 of 2017 registered for the offences punishable under Section 302 and other allied sections of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his uncle, Ramdeo Mandal (deceased) had been killed by the petitioner, who is daughter-in-law of the deceased Ramdeo Mandal and his son, Bhagat Lal Mandal due to some land dispute.



It has been submitted by the learned counsel for the petitioner that she is innocent, bears no criminal history and has been falsely implicated only on the basis of suspicion. He submits that charges have been framed, she is ready to cooperate in the trial on day to day basis and being a lady having two minor children, a sympathetic consideration be given.

However, learned APP for the State opposes the prayer for bail stating therein that independent witnesses have supported the prosecution case.

Considering the facts and circumstances and the materials on record as well as the undertaking, let petitioner, above named, 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 learned 3rd Additional District and Sessions Judge, Bhagalpur in connection with Sessions Trial No. 671 of 2017, arising out of Ekchari P.S. Case No. 07 of 2017, subject to the following conditions:

- (1) Both the bailors would be a close relative of the petitioner having sufficient immovable property, 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 his bail bonds.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--

