

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18080 of 2018

Arising Out of PS.Case No. -432 Year- 2017 Thana -GAYA KOTWALI District- GAYA

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Khusi Kumari D/o Nagendra Singh @ Nagendra Ram, R/o Mo. Taj colony,
P.S.- Kotwali, Distt.- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar Mishra

For the State : Shyam Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-06-2018 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 380 and 120B/34 of the
Indian Penal Code.

The petitioner is suspected to have committed
murder of her Bhabhi for the reason that Bhabhi and other family
members were opposing her love affairs with Dharmendra Kumar
who is cited in the F.I.R. as brother of Neha Kumari.

Submission of the learned counsel for the
petitioner is that there is no eye witness of the occurrence save and
except 3 years old daughter of the deceased who has stated before
the police that the petitioner and co-accused committed the
murder. The petitioner is in custody since 07.10.2017.



Investigation of the case is already complete.

Learned counsel for the informant opposed the prayer for bail on the ground that there is confessional statement of the petitioner before police wherein she has stated that she is the killer. Moreover, other circumstantial evidence including recovery of the blood-stained cloths was on the disclosure of the petitioner. Co-accused Dharmendra Kumar was refused prayer for bail by a Coordinate Bench of this Court vide order dated 15.03.2018 passed in Criminal Misc. No. 6243 of 2018 with liberty to renew the prayer after framing of the charge. However, he is not aware whether the charges have been framed up-till-now or not.

Considering the nature of material which is just a case of circumstantial evidence against the petitioner as well as considering the fact that confession before the police is no evidence, let the petitioner, above named, who is a female be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Kotwali Police Station Case No. 432 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court



below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Kundan/Sanjeev

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