

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69213 of 2018

Arising Out of PS. Case No.-211 Year-2018 Thana- DURGAWATI District- Bhabhua
(Kaimur)

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Rekha Devi wife of Mahesh Rai R/o Village Khurd,P.S. Chainpur,Distt.-
Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan
For the Opposite Party/s : Mr. Sri Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-12-2018 The petitioner seeks bail in connection with Durgawati
P.S.Case No. 211 of 2018 registered under Sections 201 and 302
of the Indian penal Code.

Allegation against the petitioner is of killing her two
children by drowning.

Submission of learned counsel for the petitioner is that
prosecution story looks absurd and moreover, petitioner is
suffering from mental disease and is of unsound mind and
petitioner is in custody since 02.06.2018.

Heard learned APP also who opposes the prayer of bail on
the ground that husband of the petitioner and other witness have
supported the allegation against the petitioner and she is
mentally fit also as such she does not deserve bail.



Having heard both sides and in the facts and circumstances, I am not inclined to grant bail to the petitioner.

However, in view of claim of the petitioner that she is of unsound mind, the court below is directed to follow the provisions of Chapter XXV of the Code of Criminal Procedure and also get the petitioner examined by Medical Board and if she is found of unsound mind, and if she moves for bail, the same will be considered by the court below and disposed of on the basis of materials available on the record.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

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