

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6291 of 2019

Arising Out of PS. Case No.-166 Year-2018 Thana- TELHARA District- Nalanda

REKHA DEVI, aged about 30 years, (F) wife of Nago Mochi Resident of village-Mandachh, P.S.-Telhara, District-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddharth Harsh

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 20-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Telhara P.S. Case No. 166 of 2018** registered for the offence punishable under Sections 147, 302, 201, 504 and 506 of the Indian Penal Code.

Informant who is the brother of deceased has alleged that his sister was married to accused Ajay Chaudhary and from said wedlock two children were born. It has been further alleged that the husband of deceased was having illicit relation with petitioner and subsequently matter was amicably resolved between the party. However, on 11.10.2018 he came to know that FIR named accused Ajay Chaudhary (husband), Lalita Devi sister-in-law, Shyam Chaudhary brother-in-law, Nathun Chaudhary brother-in-law and Nanhak Chaudhary father-in-law have killed his sister and in said FIR petitioner is also being



made as co-accused.

It has been submitted on behalf of the petitioner that she is innocent and has been falsely implicated in this case. Allegations are general and omnibus in nature and there is no specific allegation against petitioner. It has been further submitted that FIR named co-accused, Shyam Chaudhary and Lalita Devi have been granted regular and anticipatory bail respectively by co-ordinate Benches of this Court vide order dated 18.01.2019 passed in Cr. Misc. No. 151 of 2019 and order dated 05.02.2019 passed in CR. Misc. No. 2276 of 2019 respectively. Petitioner is a lady having four children and allegations against her are vague and not specific. She has been made accused only on the basis of suspicion. Petitioner has got no criminal antecedent and is in custody since 17.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **A.C.J.M., Hilsa (Nalanda)** in connection with **Telhara P.S. Case No. 166 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial



and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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