

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12824 of 2019

Arising Out of PS. Case No.-343 Year-2016 Thana- LAKHISARAI District- Lakhisarai

Usha Devi, aged about 40 years, (Female), Wife of Abadh Sharma, Resident of Village - Bilauri, P.S.- Lakhisarai, Distt.- Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Narsingh Tanti, Advocate.
For the Opposite Party : Mr.Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-05-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since 22.11.2018 in a case for the offence registered under Sections 302/34 of the IPC.

The prosecution story, in brief, is that the village- Biropur was the native place of the husband of the informant. His grandfather (Nana), namely, Late Binay Mistri had eight daughters. All the properties were divided among the daughters. His grandfather (Nana) given 10 Katha of land to her husband separately. Her mother-in-law, namely, Usha Devi (petitioner) wants to give equal share in 10 Katha of land among her three sons but her husband protested the same. Being aggrieved, Usha Devi (petitioner) mother of deceased, Chittu Kumar brother of



the deceased, Rubi Devi Mausi of the deceased, Anita Devi and Bindu Devi, (both are Gotanis) of the informant always used to Mar-pit and vulgar word. On 29.06.2016 at about 9.30, the informant was on her roof at the same time, all the accused persons have killed her husband and hanged in the hook of roof. When she came in the house then she saw that her husband was hanged in the roof.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The witnesses in paragraph nos. 7, 8, 9 and 10 of the case diary have stated that the deceased is said to have committed suicide. No offence under Section 302 of the IPC is made out. Charge sheet has also been submitted under Section 306 of the IPC.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned C.J.M.
Lakhisarai, in connection with Lakhisarai P.S. Case No. 343 of
2016.

(Sudhir Singh, J)

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