

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14982 of 2019

Arising Out of PS. Case No.-306 Year-2018 Thana- ISLAMPUR District- Nalanda

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RENU DEVI, W/o Sukhu Manjhi @ Mugdarh Ji @ Mugdarh Manjhi,
Resident of Village- Pindpar (Pachlowa), Police Station-Islampur, District-
Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr.Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
07.09.2018 in a case registered for the offence punishable
under Section 302/34 of the Indian Penal Code.

The prosecution case got initiated on the Fardbeyan
of Hulsu Devi, recorded by S.I., Subodh Kumar, SHO,
Islampur Police Station on 06.09.2018 at 2.30 P.M., to the
effect that on 06.09.2018, the informant's husband Ram
Chandra Manjhi went to work under water supply scheme, and
at 1.00 P.M., the informant's husband went to the shop of co-
accused Sukhu Manjhi to buy 'samosa', but there was some
dispute between the petitioner and the husband of the



informant and thereafter, the husband of the informant was assaulted by the petitioner and her husband with fists and slaps and bricks, as a result, the husband of the informant died on spot, then the accused persons threw his dead body into a pond.

It is submitted by learned counsel for the petitioner that from the impugned order it does not appear that there is any eye witness to the occurrence. It is further submitted that the petitioner and other co-accused persons have been roped in the present case after recovery of the dead body of the victim from the pond. The FIR has been lodged on the basis of mere suspicion against the petitioner and her husband and the investigation has already been concluded. It is further submitted that a statement has been made in paragraph no.3 of the petition that the petitioner being a lady is not having any criminal antecedent.

Learned APP for the State submits that there is specific accusation of assaulting the husband of the victim against the petitioner and her husband.

Considering the fact that from perusal of the FIR it does not appear that the informant is the eye witness to the alleged occurrence, the impugned order has been passed after



going thorough the case diary, but it appears that any eye witness count has not been recorded, the petitioner being a lady and the investigation already being concluded, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Hilsa, Nalanda in connection with Islampur P.S. Case No. 306 of 2018.

(Dinesh Kumar Singh, J)

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