

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42045 of 2019

Arising Out of PS. Case No.-10 Year-2019 Thana- KHUDWA District- Aurangabad

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DHARMSHILA DEVI Wife of Purendra Sharma Resident of Village-
Badpisai, P.S.-Khudwan, District-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Purushotam Sharma
For the Opposite Party/s : Mr.Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 12-07-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **Khudwan P.S. Case No. 10 of 2019**, instituted for the offence under Section(s) 363, 364, 120(B)/34 of Indian Penal Code. Subsequently, Section 302 of the Indian Penal Code was added.

Counsel for the petitioner submits that some suspicion has been raised against the petitioner in the written report. Petitioner is rotting in jail since 8.3.2019.

It is alleged in the written report that son of the informant namely, Shivam @ Tuntun had gone to Pathra Primary school and did not return. The informant has suspected that her husband Satish Sharma, his second wife Sudha Devi and parents-in-law of the informant has kidnapped her son and



committed his murder.

The Sessions Judge has mentioned in the impugned order that during investigation one dead body was recovered near from lock of Ahiyapur canal for which Arwal P.S. Case No. 59 of 2019 was registered. The informant identified the dead body of her son. Thereafter, confessional statement of petitioner was recorded by the Police.

In this manner, there is no allegation of any specific overt act against the petitioner.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, 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 **Judicial Magistrate, 1st Class, Daudnagar, Distt. Aurangabad**, in connection with **Khudwan P.S. Case No. 10 of 2019**, subject to the condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

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