

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64465 of 2018

Arising Out of PS. Case No.-478 Year-2018 Thana- BARACHATTI District- Gaya

Bipiya Devi @ Bigni Devi, Wife of Budhan Turi @ Indradeo Turi, Resident
of Village- Babhanitari Kalbatu P.S.- Kunda, District- Chatra Jharkhand.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ramashish
For the Opposite Party/s : Mr. Ahmad Ali

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 30-01-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends her arrest in connection
with Barachatti P.S. Case no. 478 of 2018, registered under
Sections 302, 201, 328 & 120(B)/34 of the Indian Penal Code.

The allegation of informant Mangu Turi is that in
the night of 10.07.2018 his uncle Baso Turi (deceased) his wife
Jamuni Devi, Bipiya Devi (Petitioner), sister of Jamuni Devi,
and her aunt Kanti Devi prepared meal and after taking dinner,
Baso Turi moved from the house to see off Kanti Devi and
again returned to house. In course of talk, informant Mangu
Turi asked to his wife Jamuni Devi whether his uncle Baso Turi
has taken dinner then she replied that he has already taken
dinner. Thereafter, Baso Turi went to his house. On the next



morning, when informant went at the house of his uncle then he did not find him and his aunt informed that he has gone outside, but in spite of search no trace of Baso Turi was found, then Panchayati was arranged in which his aunt Jamuni Devi admitted about committing murder of Baso Turi by administering poison and buried his dead body. She also admitted that in that night her sister Bipiya Devi (Petitioner) was also present in the house. Jamuni Devi also narrated that at about 12 O'clock, when she had gone to cut grass then Rajendra Yadav told her to bury the dead body after putting salt on it. Thereafter, she followed the advice of Rajendra Yadav. The informant has also stated that his aunt Jamuni Devi has illicit relation with Rajendra Yadav.

Learned counsel for the petitioner submits that it would appear from the F.I.R. itself that Kanti Devi, maternal aunt of co-accused Jamuni Devi left the house after taking dinner in the night and this petitioner also left the house in the next morning, which has come in paragraph No.22 of the case diary in the confessional statement of co-accused Jamuni Devi, but this petitioner being the sister of Jamuni Devi has falsely been implicated in this case. He further submits that petitioner is a lady and she has no criminal antecedent.



Learned Addl. Public Prosecutor for the State while opposing the prayer for bail of the petitioner submits that confessional statement has been detailed in paragraph No.22, but there was no whisper about having hand of this petitioner in the alleged crime.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Sherghati (Gaya) in connection with Barachatti P.S. Case No. 478 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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