

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56033 of 2019

Arising Out of PS. Case No.-174 Year-2019 Thana- WAJIRGANJ District- Gaya

Nagina Devi (Female), aged about 59 years, wife of Prabhu Mahto, resident of Village - Bichha Rampur, Police Station- Wazirganj, District - Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Manish Kumar No 2, Advocate
For the State	:	Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 18-12-2019

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Wazirganj P S Case No. 174 of 2019 dated 30.05.2019 instituted under Sections 302, 201 and 34 of the Indian Penal Code.

3. The petitioner along with 5-6 persons is accused of killing her daughter-in-law.

4. Learned counsel for the petitioner submitted that the body was found much away from the matrimonial home, with marks of attack on the body leading to death. Learned counsel submitted that during investigation, it has come that after the death of the son of the petitioner, who was the husband of the deceased, two years ago, the two minor daughters of the victim as well as the



victim was staying at the matrimonial home, but the deceased was regularly going away from the matrimonial home, which was objected by the accused persons. It was submitted that even if it is presumed that the petitioner and her family members were objecting to such activity of the deceased, it would not mean that they have committed the crime in such brutal manner. Learned counsel submitted that there has not been recovery of any incriminating material, either from the person or from the house of the petitioner and she is a lady being in custody since 31.05.2019.

5. Learned APP, from the case diary, submitted that it has come that the petitioner and her family members were objecting to the deceased going out frequently from the matrimonial home.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1, Gaya in Wazirganj P S Case No. 174 of 2019.

7. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to



cooperate or appear on two consecutive dates, without sufficient cause, shall lead to cancellation of her bail bonds.

8. The application stands disposed off.

(Ahsanuddin Amanullah, J.)

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