

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68064 of 2019

Arising Out of PS. Case No.-44 Year-2019 Thana- SAHIYARA District- Sitamarhi

INDU DEVI Wife of Late Kaushal Singh @ Kaushal Mahto Resident of Ward
No. 7, Village- Mohanpur, P.S.- Sitamarhi, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302, 201 and 34 of the Indian
Penal Code.

Prosecution case as lodged by the informant is that the
deceased Kailash Singh is his brother and whose wife Indu Devi
had an illegitimate affair with Achchaylal Ram. On 11.04.2019,
Indu Devi along with her two children eloped away with
Achchaylal Ram and upon threat by Achchaylal Ram that if
anybody informed the police about the same such person would
be met with death, the informant did not get an F.I.R. registered.
On 27.04.2019, Achachaylal Ram went to the informant's
residence and persuaded the informant's brother (now deceased)



to accompany him and bring back his wife and children. The informant's brother told him that he would be back with his wife and children in an hour. However, he did not return up till late night whereupon the informant and others started looking for them but to no avail. On 28.04.2019 at about 1.30PM, it was informed by one Sahiyara P.S. that his brother's dead body was found in a sugar cane field in village-Basbitta.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated. He submits that there is no specific allegation against the petitioner. He submits that the entire allegation of commission of offences is based on mere suspicion. He submits that there is no allegation levelled against the petitioner except that she is the wife of the deceased and allegedly had an affair with another person Achchaylal Ram. He further submits that charge-sheet has already been submitted, there is no allegation of tampering with the prosecution witnesses by the petitioner and he is languishing in judicial custody since 30.04.2019.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief



Judicial Magistrate, Sitamarhi in connection with Sahiyara
Police Station Case No. 44 of 2019.

(Anjani Kumar Sharan, J)

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