

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10005 of 2020

Arising Out of PS. Case No.-129 Year-2019 Thana- BUNIYAD GANJ District- Gaya

CHINTA DEVI D/o Javahir Manjhi Resident of Village - Mahmadpur, P.S.-
Khizersarai, Distt - Gaya (Bihar).

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 01-06-2020

The petitioner, who is in custody since

24.07.2017 seeks bail in connection with Buniyadganj P.S.

Case No. 129 of 2019 dated 17.07.2019, which was

initially instituted for the offence under Sections 363 and

365 of the Indian Penal Code but later Sections 302, 201,

120(B)/34 of the Indian Penal Code was added.

It appears from the First Information Report that

one Bablu Manjhi lodged the First Information Report

alleging that his wife and daughter, who had gone to

Khizarsarai market did not return home. The informant was

told on telephone that his wife has been kidnapped because

his brother has married the sister of the person, who had



called the informant. However, the aforesaid story was found to be false during the course of investigation. As the investigation progressed, it came to light that because of the informant's liaison with the petitioner, he and his wife always fought between themselves and the matrimonial life was not good. Therefore, the informant hatched a conspiracy and in collusion with the petitioner, he killed his wife and daughter.

It appears from the records that the aforesaid theory of murder was first propounded by the brother of the deceased, who disclosed certain facts, which led the police to investigate deeper into the matter. Later, on the asking of the brother of the deceased, the dead bodies of the wife and daughter of the informant were recovered. The petitioner also said to have made the confession before the police admitting her guilt. Thus, the entire evidence against the petitioner is of presumption that the informant had an unethical relationship with the petitioner and because of this, the wife and daughter of the informant were killed in which, the informant himself had participated and had taken help



of the petitioner. Thus, the evidence against the petitioner is only of the nature of hearsay and confession before the police.

Considering the afore-noted nature of accusation and the period of custody of the petitioner, she is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate -VIII, Gaya in connection with Buniyadganj P.S. Case No. 129 of 2019.

(Ashutosh Kumar, J)

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